

SOUTH FULTON CITY COMMISSION  
SOUTH FULTON, TENNESSEE  
JUNE 23, 2005

PUBLIC HEARING

- A. Public Comments on Proposed Fireworks Ordinance

AGENDA

- A. Reconsideration of Resolution 2005-7 (REGULATES AGE TO BUY AND SELL FIREWORKS)

MINUTES

OPEN PUBLIC HEARING

Vice Mayor Moody opened the public hearing on Thursday, June 23, 2005 at 5:00 p.m. at the South Fulton Municipal Complex with eight residents present.

PURPOSE OF PUBLIC HEARING

Vice Mayor Moody stated the purpose of the public hearing was to hear comments on proposed fireworks ordinance.

Kent Greer, 133 Second Street, asked what brought fireworks ordinance content to the commission. He stated his brother has sold fireworks in South Fulton for twenty-two years and there have been no complaints to the Police Department on selling fireworks.

Vice Mayor Moody stated there have been complaints of shooting fireworks (noise). He stated city need to regulate times that fireworks are sold, ages of persons buying and selling fireworks and concern with safety of children.

Mr. Greer stated he is also concerned with children's safety, but that is parent's responsibility. He stated commission could not protect everyone from everything. He stated the ordinance is too restrictive, only allowing on license per person. Commissioner Kane stated that has been changed to five licenses per person. Mr. Greer stated with limit of five, two persons could come in and buy all ten (maximum licenses to be issued). He stated there are only so many dollars to be generated in selling fireworks and commission is regulating competition. He also stated his concern regarding the age (18 years old to buy or sell fireworks). He stated his son (age fourteen) works at the fireworks stand to earn money for camp.

Commissioner Kane stated the commission was misinformed and resolution stating age to buy and sell fireworks has been deemed null and void and that eighteen year age limit will be removed from ordinance. He stated the state of Tennessee allows ten year olds and older to buy fireworks and sets no age limit to sell fireworks.

Brent Greer, 4824 N Pierce Station Road, made reference to Section 1, D, temporary licenses will be sold on a first come first serve basis beginning March 1 of each calendar year. He stated this could cause problems...allowing two persons to buy all ten licenses on March 1. He stated fireworks are actually safer than in the past, citing example of cherry bomb lit under coffee can used to blow up can, now might blow can over.

Jesse Cavness, 606 Forestdale, stated his church has been selling fireworks for seventeen years as a major fund raiser. He stated he has never sold willingly or knowingly to persons under ten years old as required by state. He stated his daughter is thirteen years old and runs the cash register. He stated he is appreciative of commission's concern for children's safety. He stated in Section II, D, fireworks will not be ignited within fifty feet of any location where fireworks are being sold. He stated Tennessee requires 200 feet. Mr. Cavness also expressed his concern over the limit of licenses to be issued.

Vice Mayor Moody closed the public hearing at 5:20 p.m.

OPEN SPECIAL CALLED MEETING  
CALL TO ORDER

The meeting was called to order by Vice Mayor Moody on Thursday, June 23, 2005 at 5:20 p.m. (following the public hearing).

ROLL CALL BY RECORDER

Roll call was taken by City Recorder Beadles. Those present were C Moody, R Haskins, W Kane, T Pettigrew.

MAYOR'S WELCOME

Vice Mayor Moody welcomed each person in attendance to the meeting.

BUSINESS

REVISIT RESOLUTION #2005-7 (REGULATES AGE TO BUY AND SELL FIREWORKS)

Commissioner Haskins stated the state of Tennessee allows youngsters ten years old and older to buy fireworks. He stated this should have been tabled until the board had all information. He recommended to do away with the resolution regarding the age limit of eighteen years old set by the city commission. He also stated because of free enterprise, the board should not limit the number of licenses issued.

Commissioner Kane agreed that Resolution #2005-7 is null and void and he also agreed that there should not be a limit on number of licenses sold.

South Fulton City Commission  
June 23, 2005  
Page Three

Commissioner Haskins moved to table second reading of Ordinance #2005-4 (ordinance to establish regulations for the sale and use of fireworks). Commissioner Kane seconded the motion.

ADJOURNMENT

Commissioner Kane moved to adjourn at 5:25 p.m. Commissioner Haskins seconded the motion. All voted aye. Motion carries.

ATTEST: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_  
RECORDER MAYOR