

Ordinance No. 3419

An ordinance amending the Broken Arrow Code by amending Chapter 10, Fire Prevention and Protection, Article IV. – Explosives, Division 1. – Generally, Section 10-72. – Classified; and Section 10-73. – Manufacture; specifically excepting from the definition of explosives small arms ammunition and components thereof; repealing all ordinances to the contrary; and declaring an emergency

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION I. That Chapter 10, Fire Prevention and Protection, Article IV. – Explosives, Division 1. – Generally, Section 10-72. – Classified, is hereby amended to read as follows:

Sec. 10-72. - Classified.

For the purposes of this article, explosives are hereby classified as follows:

- (1) Class 1 explosives shall be liquid nitroglycerine; high explosives containing over 60 per cent of nitroglycerine (except gelatin dynamite); high explosives have an unsatisfactory absorbent or that permit leakage of nitroglycerine under any conditions liable to exist during transportation or storage; nitro-cellulose in a dry and uncompressed condition and in quantity greater than ten pounds in one exterior package; fulminate of mercury in bulk in a dry condition, and fulminate of all other metals in any condition, except as a component of manufactured articles not hereinafter forbidden; or explosives containing an ammonium salt and a chlorate.
- (2) Class 2 explosives are black powder, high explosive (except as described in Class 1), dynamite, blasting caps and electric blasting caps, wet fulminate of mercury and detonating fuses.
- (3) Class 3 explosives are primers, fuses (except as described in Class 2), safety fuses, safety squibs and any other explosives not enumerated in Class 1 and Class 2 and declared by the chief of the fire department to be relatively safe.
- (4) Specifically excepted from the definition of explosives are small arms ammunition and components therefor.

SECTION II. That Chapter 10, Fire Prevention and Protection, Article IV. – Explosives, Division 1. – Generally, Section 10-73. – Manufacture, is hereby amended to read as follows:

Sec. 10-73. – Manufacture.

It shall be unlawful for any person to manufacture any explosive within the corporate limits of the city, except that any explosive may be manufactured in laboratories in schools, colleges and similar institutions, for the purpose of investigation and instruction.

SECTION III. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION IV. An emergency exists for the preservation of the public health, peace and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this 19th day of April, 2016.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY