

AN ORDINANCE

AMENDING THE REGULATORY PLAN FOR THE SOUTH SAN ANTONIO LIMITED PURPOSE AREAS WHICH WOULD ALLOW THE SALES OF FIREWORKS IN THE AREAS ANNEXED FOR LIMITED PURPOSES UNDER CERTAIN CONDITIONS

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WHEREAS, the Regulatory Plan for the South San Antonio Limited Purpose Annexation Areas referenced Ordinance No. 97683, (adopted in 2003), which permitted limited sales and possession of fireworks in areas annexed for limited purposes. However, the subject ordinance had an expiration date of January 5, 2006; and

WHEREAS, this ordinance will correct the Regulatory Plan for the South San Antonio Areas annexed for limited purposes regarding firework sales; and

WHEREAS, approval of this Ordinance will allow the sale of fireworks in the South San Antonio limited purpose annexation area under certain conditions. However, the sale of fireworks will be prohibited in the annexation areas once they are annexed for full purposes; and

WHEREAS, the City of San Antonio Fire Department has agreed to support the sale of fireworks in the limited purpose annexation area under the above mentioned conditions; and

WHEREAS, the City Council finds that the change is necessary for the orderly transition of the City's development regulations, including planning, zoning, health and safety within the limited purpose annexation areas and the amendment to the regulatory plan is justified by the circumstances; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The section regarding exceptions to the development regulations in the Regulatory Plan for the South San Antonio Areas Limited Purposes Annexation Area is hereby amended by adding the language that is underlined (added) and deleting the language that is stricken (deleted):

~~Limited sales and possession of fireworks is permitted in areas annexed for limited purposes in accordance with Ordinance No. 97683.~~

Existing businesses that sell fireworks that were located more than 5,000 feet from the city limits and in the area proposed for Limited Purpose Annexation at least 180 days prior to the effective date of annexation shall be allowed to

continue to store, sell, offer for sale, use and transport fireworks for the duration of the limited purpose annexation; however, the sale of fireworks will be prohibited in the annexation area once annexed for full purposes.

SECTION 2. The Regulatory Plan for the South San Antonio Areas Limited Purposes Annexation Area, adopted by Ordinance Numbers 2014-01-09-001 on January 9, 2014, is hereby amended as necessary to conform to the provisions of this Ordinance. All other provisions of the cited Regulatory Plan shall remain in full force and effect.

SECTION 3. This Ordinance will be effective on September 10, 2015.

PASSED AND APPROVED ON THIS 20TH DAY OF SEPTEMBER OF 2015.

M A Y O R
Ivy Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha Sepeda, Interim City Attorney