

Introduced by: Parks and Recreation  
Committee  
Date: November 12, 2013  
Public Hearing:  
Action: Ordinance not  
Introduced.  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #13-23**

#### **AN ORDINANCE AMENDING BETHEL MUNICIPAL CODE BY INSERTING CHAPTER 9.33 TITLED SILLY STRING AND PRACTICAL JOKE ITEMS PROHIBITED**

**WHEREAS**, every year the City of Bethel hosts a Fourth of July Festival which brings hundreds of people to the Pinky's Park area;

**WHEREAS**, during this festival a number of vendors sell practical joke items such as fart bags and fart spray that become a nuisance to the festival goers;

**WHEREAS**, vendors also sell aerosol cans filled with a foam like substance commonly known as "silly string" which becomes a nuisance;

**WHEREAS**, vendors also sell aerosol cans filled with temporary hair color which is not permanent to hair but is permanent to wood and clothing, vandalism by this product has required costly repairs to buildings in the area of the celebration,

**WHEREAS**, young adults and children run through the park spraying each other or setting off these nuisance items, while not paying to attention to the many others surrounding them;

**WHEREAS**, not only is the use of these products a nuisance during the celebration, the cleanup following the festivities has proven to be extensive due to the number of areole cans and "silly string" found throughout the area;

**WHEREAS**, the use of these products interferes with the peaceful enjoyment of the Fourth of July Celebration which is a public event;

**WHEREAS** by banning the sale and use of these products shortly before, during and shortly after the celebration, the spectators as well as volunteers and staff can attend the celebration without the nuisances of products specifically produced for pranks and irritations;

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**WHEREAS**, the festival space, both in park areas and residential areas that surround the park, will be substantially easier to clean following the close of the celebration if silly string and other practical joke items are not permitted for sale or use in the area.

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that:

**SECTION 1. Classification.** This ordinance is permanent in nature and shall be placed in the Bethel Municipal Code.

**SECTION 2. Amendment.** The City of Bethel Municipal Code is hereby amended, new language is underlined.

### **9.33.010 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

“Fart Spray” or “Fart Bag/Bomb” means any product specifically produced to sound and/or smell like fart and fecal matter.

“Hair Color Spray” means a temporary aerosol spray of hair color that washes out.

“Park” means any area in the City of Bethel dedicated as a public park or used for park, recreation or conservation purposes.

“Party Poppers” means a small plastic cylinder which, when a string is pulled, makes a small bang and fires thin paper streamers into the air.

“Walkways” means the area within the public right-of-way adjoining streets in the City of Bethel.

“Silly String” means A foam like substance which is shot and/or propelled by use of an aerosol can and/or similar dispenser and which, when so shot/propelled, emerges from said can/dispenser in a string-like form, the same being sold under the product name of “Silly String” and/or other products.

“Streets” means any street laid out and used as a public thoroughfare in the City of Bethel.

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**9.33.020 Public use prohibited.**

No person, including any individual or entity, shall discharge or permit the discharge of products called "silly string", "fart bag/bomb", "fart spray", "party popper" and "hair color spray" in or along the public streets, sidewalks, parks or public places in the City of Bethel at any time.

Restrictions on Sales

No person, including any individual or entity, shall sell products called "silly string", "fart bags/bomb", "fart spray", "party popper" and "hair color spray" in or along the public streets, walkways, parks, public places or from any business conducted in the City of Bethel from June 15 to July 15.

**9.33.030 Violations and penalties.**

A violation of this chapter shall subject the violator to the penalties provided under chapter 1.08, General Penalties, of the BMC.

**SECTION 2. Effective Date.** This ordinance shall become effective upon the passage by the City Council.

**ENACTED THIS DAY OF 2013, BY A VOTE OF IN FAVOR AND OPPOSED.**

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Joseph A. Klejka, Mayor

ATTEST:

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Lori Strickler, City Clerk