

CHAPTER 17

FIREWORKS

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17.01

Nothing in this Chapter shall be construed to prohibit the use of fireworks by railroads or other transportation agencies for signal purposes of illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports or for use by military organizations.

17.02 Definition

Fireworks—means and includes any combustible or explosive composition, or any substance or combination of substances, or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, firecrackers, torpedoes, skyrockets, Roman candles, Daygo bombs, sparklers, or other devices of like construction and any devices containing any explosive or flammable compound, or any tablet or other device containing an explosive substance, except that the term "fireworks" shall not include any auto flares, paper caps containing not in excess of an average of twenty-five hundredths (.25) of a grain of explosive content per cap, and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times.

✓ 17.03 Manufacture, Sale and Discharge of Fireworks

a. The manufacture of fireworks within the jurisdictional area is prohibited except under special permits as are required by local and state regulations.

b. Except as hereinafter provided, it shall be unlawful for any person to possess, store, to offer for sale, expose for sale, sell at retail, or use or explode any fireworks; provided that the Fire Official shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by a jurisdiction, fair associations, amusement parks, other organizations or for the use of fireworks by artisans in pursuit of their trade. Every such use or display shall be handled by a competent operator approved by the Fire Authority having jurisdiction, and shall be of such character and so located, discharged or fired so as not to be hazardous to property or endanger any person.

c. Applications for permits shall be made in writing at least ten (10) days in advance of the date of the display. After such privilege shall be granted, sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

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17.04 Bond for Fireworks Display Required

The permittee shall furnish a bond or certificate of insurance in an amount deemed adequate by the administrative authority for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors.

17.05 Disposal of Unfired Fireworks

Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining.

17.06 Seizure of Fireworks

The Fire Authority having jurisdiction shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of this Chapter.