

CHAPTER 2**FIREWORKS****SECTION**

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7-201. Definitions. The term "fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include any fireworks containing any explosive or other device containing any explosive or flammable compound, except that the term "fireworks" shall not include any sparkler, model rockets, or model rocket engines, designed, sold and used for the purpose of propelling recoverable aero models events, toy pistols, toy canes, toy guns or other devices in which paper and/or plastic and/or metal caps manufactured with the specific limitation of an average twenty-five hundredths of a grain of explosive content per cap, the sale and use of which shall be permitted at all times. Each package containing said caps offered for retail sale shall be labeled to indicate the maximum explosive content per cap. (1993 Code, § 7-201)

7-202. Sale of fireworks prohibited. The sale of fireworks within the corporate limits of the Town of Pittman Center is hereby prohibited except those items excepted in § 7-201. (1993 Code, § 7-202)

7-203. Permit for supervised family display. A permit shall be required for supervised family displays of fireworks. Before any permit for pyrotechnic display shall be issued, the person/family making application therefor shall furnish to the city administrator the name of the person/family sponsoring the display as well as the names of responsible adult(s) actually in charge of the firing of the display; the date and time of day at which the display is to be held; the exact location planned for the display; a description setting forth age (must be adult), experience, and physical characteristics of the persons who are to do the actual discharging of the fireworks; the number and kinds of fireworks to be discharged; the manner and place of storage of such fireworks prior to display; and a diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all

buildings, highways, and other lines of communication, the lines behind which the spectators will be restrained, the location of all nearby trees, power lines, telephone lines or other overhead obstructions. This application for permit must be filed at least 1 day prior to the date of display and the cost of the permit will be \$5.00. All displays must be set up in accordance with NFPA Regulation 494L, Conduct of Display. (1993 Code, § 7-203)

7-204. Restrictions. Displays permitted in this chapter shall be restricted such that no fireworks shall be displayed or discharged in another person's yard or over the Middle Prong of the Little Pigeon River. No fireworks display shall take place later than 10:00 P.M. with the exception of New Year's Eve. (1993 Code, § 7-204)

7-205. Exceptions. Nothing in this chapter shall be construed to prohibit the use of fireworks by transportation firms or agencies for signal purposes of illumination, or the sale or use of blank cartridges for a show or theatre, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations, or the use of fireworks for agricultural purposes under conditions approved by local authorities.

Revocation of permits will be determined by the fire chief or the chief of police determinate upon hazardous weather conditions. (1993 Code, § 7-205)

7-206. Seizure. The city administrator or the chief of police shall seize, take, remove, or cause to be removed at the expense of the owner, all stocks of fireworks or combustibles offered or exposed for sale, stored, or held in violation of this chapter. Any person, firm, co-partnership, corporation, or organization violating this chapter shall be cited to city court. (1993 Code, § 7-206)

7-207. Penalty. Any person, partnership or corporation violating the terms of this chapter shall be assessed a fine not greater than the sum of \$50.00 per day. Each day of the violation of this chapter shall constitute a separate and distinct offense. (1993 Code, § 7-207)