

EAST BRADFORD TOWNSHIP
APPLICATION FOR THE
DISPLAY, SALE, OR DISCHARGE OF FIREWORKS

Print or type all information:

Cost of permit: \$100.00/event

Sponsor Name: _____

Sponsor Address: _____

City, State, Zip: _____

Sponsor Telephone: _____ E-Mail: _____

Sponsor Signature _____ Date _____

Operator Name: _____

Operator Address: _____

City, State, Zip: _____

Operator Telephone: _____ E-Mail: _____

Operator Signature _____ Date _____

Location of Display: _____

Address: _____

Date of Display: _____ Start Time: _____ End Time: _____

Response Fire Company: _____

Names of Fire Company Personnel to Attend (if available): _____

Number of Monitors: _____ (Location of monitors shall be indicated on layout plan)

A copy of the Bond posted for this display must be attached to this application.

A layout plan with relevant distances for the display area pursuant to the current NFPA edition shall be submitted with this application and will list mortar sizes to be used in display.

Operators shall determine if they are required to be registered with the Office of the Attorney General, Commonwealth of Pennsylvania, Criminal Law Division and if required, submit a facsimile with this application.

Approved by the Codes Enforcement Officer of East Bradford Township, this _____ day of _____ 20__

Codes Enforcement Officer

Denied by the Codes Enforcement Officer of East Bradford Township, this _____ day of _____ 20__.

Reason for Denial: _____

Codes Enforcement Officer

Chapter 59
FIREWORKS

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- § 59-13. Seizure of fireworks.

[HISTORY: Adopted by the Board of Supervisors of the Township of East Bradford 4-10-2001 by Ord. No. 1-2001. Amendments noted where applicable.]

ARTICLE I
General Provisions

- § 59-1. Scope.

The manufacture, display, sale or discharge of fireworks shall comply with the provisions of this chapter.

- § 59-2. Permits required.

A permit shall be required for each display, sale or discharge of fireworks.

- § 59-3. Permit issuance.

- A. Application for permits shall be made to the Township Code Enforcement Officer on forms furnished by the township, along with the filing fee, at least 15 days in advance of the date of the display or discharge of fireworks. The sale, possession, discharge and distribution of fireworks for such display shall be lawful subject to the terms and conditions approved with the permit, and for only that purpose. A permit granted hereunder shall not be transferable, nor shall any such permit be extended beyond the dates set out therein.

B. A pennit under this section will be granted to a fair association, amusement or other park or any other organization or group of individuals if the person meets the following requirements:

- (1) The display will be handled and conducted by an approved c and
- (2) The display will be conducted so as to be Teasonably safe to persons and property. Evidence that the sale, possession, use and distribution of fireworks for display purposes has been conducted in accordance with the applicable standard_ specified in NFPA No. 1123, Ch. 3, shall be evidence that such design, construction and use provides reasonable safety to persons and property .

§59-4. Fees.

Fees for each plan examination and permit shall be those established by resolution duly adopted by t)le Board of Supervisors of the Township of East Bradford.

§59-5. Appeals.

Any person affected by a decision of the Code Enforcement Officer to grant or deny a permit pursuant to this chapter shall have the right to appeal to the township's BOCA Board of Appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the provisions of this chapter or the rules legally adopted thereunder have been inconectly interpreted, the provisions of this chapter do not fully apply or the requirements of this chapter are adequately satisfied by other means. This section shall not apply to violations of this chapter.

ARTICLE II

Definitions

§59-6. Terms defined.

The following words and terms shall, for the purpose of this chapter and as stated elsewhere in this Code, have the meanings shown herein:

APPROVED COMPETENT OPERATOR -Includes any person who:

- A. Has prepared a layout plan which complies with the NFPA Code 1123;
- B. Is currently registered with the Attorney General of the Commonwealth of Pennsylvania;
- C. Has provided evidence of actively participating in the performance of at least five outdoor fireworks displays; and
- D. Has overall responsibility for the safety set up and discharge of an outdoor fireworks display.

DISPLAY -The act of permitted and supervised discharge of fireworks.

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← Has to meet these qualifications

See 59-11 (Bond)

FIREWORKS -Includes but not be limited to any combustible or explosive composition, and any substances and combination of substances and articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation. Fireworks shall include blank cartridges, toy pistols, toy cannons, toy canes and toy guns in which explosives are utilized, balloons requiring fire underneath to propel the balloon, firecrackers, torpedoes, skyrockets, Roman candles, sparklers and other devices of similar construction, any device containing any explosive or flammable compound and any tablets and other devices containing any explosive substance.- The term "fireworks" shall not include automobile flares, paper caps containing not more than an average of .25 grain (16mg) of explosive content per cap and toy pistols, toy canes, toy guns and other devices utilizing such caps. The sale and utilization of the types of explosive devices listed herein which are not considered fireworks shall be permitted at all times.

PERSON — Any natural person who has attained the age of 21 years, corporation, partnership, joint venture, sole proprietorship, firm, association and any other entity of whatever type.

SPONSOR -The organization (person, group or government agency) that arranges with a duly authorized fireworks supplier for its services in presenting a fireworks display or in providing fireworks for use in a display.

ARTICLE III Sale and Discharge

§ 59-7. General.

The rules and regulations for fireworks shall be in accordance with NFPA 1123 and 1124, 1995 Editions.

§ 59-8. Violations and penalties.

Except as set forth below, a person shall not manufacture, store, offer or expose for sale, sell at retail or discharge any fireworks. Any person violating or permitting the violation of this chapter shall, upon being found liable therefor in a criminal enforcement proceeding, pay a fine of not more than \$1,000 nor less than \$25, together with court costs and reasonable attorneys fees, and may be incarcerated for a period not exceeding 90 days. Such fine, costs, attorney fees and incarceration, after being reduced to a final unappealed judgment, shall be enforced by the township pursuant to the applicable rules of criminal procedure. Each day of violation shall constitute a separate violation. Exception: where approved for the supervised display of fireworks.

§ 59-9. Display.

Approved displays shall be handled by an approved competent operator, and the fireworks shall be arranged, located, discharged and fired in a manner that will not be a hazard to property, endanger any person or travel onto neighboring properties.

§ 59-10. Disposal of unfired fireworks.

Unfired fireworks and trash remaining after the display is concluded shall be immediately collected and disposed of in an approved, safe manner. In addition, any discharged fireworks which improperly leave the property of the sponsor and land upon neighboring properties shall also be removed and disposed of in accordance with the requirements of NFPA Code 1123, and otherwise in a safe manner.

§ 59-11. Bond for display.

The permit holder or approved competent operator, shall furnish a bond, which shall be at least \$2,000,000, for the payment of all potential damage caused either to persons or property due to the permitted display, and arising from any acts of the permit holder or the agent of the permit holder. However, in lieu of a bond, evidence of insurance may be delivered, which shall be in the amount of at least \$2,000,000, be issued by a Best's A-rated or better insurance company and list the township as an additional insured, to cover potential damage caused either to persons or property due to the permitted display, and arising from any acts of the permit holder or the agent of the permit holder.

§ 59-12. Sale of fireworks; storage.

- A. Any township resident wholesaler, dealer or jobber shall not be prohibited from selling at wholesale such fireworks as are not herein prohibited, or the sale of any fireworks under any one of the following situations:
- (1) Fireworks shipped directly to out-of-state customers.
 - (2) Fireworks utilized by railroads or other transportation agencies for signal purposes or illumination.
 - (3) Blank cartridges utilized for a show or theater.
 - (4) Fireworks utilized for signal or ceremonial purposes at athletic events.
 - (5) Fireworks utilized by the military.
- B. Fireworks shall be stored only in an industrial zoned area, and the storage shall comply with section F-3004.0 of the BOCA National Fire Protection Code, 1993.

§ 59-13. Seizure of fireworks.

The Code Enforcement Officer shall seize, take, remove or cause to be removed all fireworks offered or exposed for display or sale, stored or held in violation of this chapter. The owner shall reimburse the township for the costs involved in any such seizure.