

Town of Harrison

Ordinance




Sale and Use of Consumer Fireworks Prohibited

Presented at Town Meeting June 13, 2012

Adopted June 13, 2012

A True Attested Copy: Date: June 19, 2012


Judith E. Colburn, Town Clerk



Town of Harrison

Ordinance

Sale and Use of Consumer Fireworks Prohibited

Section 1 – Definitions – The following definitions shall apply in this section:

- 1.1 Consumer fireworks shall have the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provisions, but includes only products that are tested and certified by a 3rd part testing laboratory as conforming with United States Consumer Product Safety standards in accordance with 15 United States Code, Chapter 47. “Consumer fireworks” does not include the following products:
 - 1.1.1 Missile-type rockets, as defined by the State Fire Marshal by rule;
 - 1.1.2 Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and
 - 1.1.3 Sky rockets and bottle rockets. For purposes of this paragraph, “Sky rockets and bottle rockets” means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability, that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.
- 1.2 Display means an entertainment feature where the public or private group is admitted or permitted to view the display or discharge of fireworks or special effects.

Section 2 – Prohibition –

- 2.1 No person shall use, possess with intent to use, sell, possess with the intent to sell or offer for sale consumer fireworks in the Town of Harrison.

Section 3 – Exception –

- 3.1 This section does not apply to a person issued a fireworks display permit by the Town of Harrison and/or the State of Maine pursuant to 8 M.R.S.A. §227-A.

Section 4 – Violations –

- 4.1 Any person who uses consumer fireworks or possesses consumer fireworks with the intent to use in the Town of Harrison in violation of this ordinance shall receive a citation.
- 4.2 The civil penalty set in accordance with this ordinance as approved by the Board of Selectmen shall be imposed for the issuance of citations. The civil penalties imposed are cumulative.

Section 5 – Seizure and disposal of fireworks -

- 5.1 The Town may seize consumer fireworks that the Town has probable cause to believe are used, possessed or sold in violation of this section and shall forfeit seized consumer fireworks to the State for disposal.

Section 6 – Severability Clause -

- 6.1 – If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of the ordinance.

Section 7 – Amendments -

- 7.1 – This Ordinance may be amended by a majority vote of any Town Meeting, (annual or special) when such amendment is published in the warrant calling for such meeting.

Section 8 – Effective Date -

- 8.1 – This Ordinance shall be in full force and effect upon passage.