

ORDINANCE NO. 2019-1
OF
SOUTH FRANKLIN TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA

SOUTH FRANKLIN TOWNSHIP
FIREWORKS ORDINANCE

AN ORDINANCE PROVIDING GUIDELINES FOR THE USE OF FIREWORKS, PRESCRIBING SAFEGUARDS CONCERNING SAME, AND PRESCRIBING PENALTIES FOR VIOLATIONS

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of South Franklin Township, Washington County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: Definitions

“Consumer fireworks” shall be defined as any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, is suitable for use by the public, complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16 CFR (relating to commercial practices) or any successor regulation and complies with the 2 provisions for "consumer fireworks" as defined in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted throughout this Commonwealth. The term does not include devices as "ground and hand-held sparkling devices," "novelties" or "toy caps" in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth.

SECTION 2: Display of Fireworks

- (A) They cannot be ignited or discharged on a public or private property without express permission of the property owner.
- (B) They cannot be discharged from or within a motor vehicle or building.
- (C) They cannot be discharged toward a motor vehicle or building.
- (D) They cannot be discharged within 150 feet of an occupied structure, whether or not a person is actually present.
- (E) They cannot be discharged while the person is under the influence of alcohol, a controlled substance, or another drug.
- (F) No fireworks shall be ignited within 300 feet of a permanent or temporary fireworks facility licensed by the Pennsylvania Department of Agriculture.

(G) ALL cleanup is the responsibility of the property owner from which fireworks were released.

(H) No fireworks shall be displayed after 11:00pm.

SECTION 3: Any person violating the provisions of this Ordinance is subject to enforcement by the Pennsylvania State Police and shall be guilty of a summary offense, and upon conviction thereof, shall be punished by a fine not exceeding \$1,000.00 or by imprisonment not exceeding 30 days or by both such fine and imprisonment.

SECTION 4: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5: This Ordinance shall become effective five (5) days after its passage or adoption.

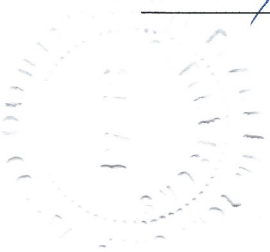
Effective Date.

This Ordinance shall become effective March 5, 2019, 2019.

ORDAINED AND ENACTED this 5th day of March, 2019.

ATTEST:

SOUTH FRANKLIN TOWNSHIP



[Signature]

[Signature]
William H. Cline, Chairman

[Signature]
Kellie A. Orlosky, Vice Chair

[Signature]
Mark W. Knestrick, Supervisor