

**CONEWANGO TOWNSHIP
WARREN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2019-1

FIREWORKS ORDINANCE AMENDMENT

AN ORDINANCE REGULATING CONSUMER AND DISPLAY FIREWORKS IN THE TOWNSHIP OF CONEWANGO, WARREN COUNTY, PENNSYLVANIA; REQUIRING APPLICATIONS FOR AND PROVIDING FOR THE GRANTING OF PERMITS FOR DISPLAYS OF FIREWORKS; PRESCRIBING SAFEGUARDS CONCERNING SAID DISPLAYS AND PUBLIC SAFETY; REGULATING PUBLIC DISPLAYS OF FIREWORKS AND THE POSSESSION, SALE, USE AND DISTRIBUTION THEREOF WITHOUT OBTAINING A PERMIT THEREFOR AND PRESCRIBING PENALTIES FOR VIOLATIONS.

WHEREAS, the Supervisors of Conewango Township (the “Supervisors”), Warren County, Pennsylvania, desire to protect the health, safety, and welfare of the residents of Conewango Township (the “Township”); and

WHEREAS, the Supervisors desire to take the necessary steps to regulate the activities pertaining to and prescribe safeguards concerning the use and display of fireworks with the Township; and

WHEREAS, the Supervisors adopted Ordinance No. 2017-2 on June 26, 2017, the Fireworks Ordinance, and now find it necessary and appropriate to amend Ordinance No. 2017-2 and to set forth, in their entirety, the relevant provisions relating to fireworks displays within the Township.

NOW, THEREFORE, the Supervisors of Conewango Township, Warren County, Pennsylvania, do hereby enact and ordain and it is hereby enacted and ordained as follows:

I. CONSUMER FIREWORKS

SECTION 1:

A. It shall be unlawful for any person, persons, firms or corporations, amusement parks, fair associations or other individuals, groups of individuals, or organizations to have or to hold public

permit is granted by the Fire Chief or the Fire Chief's duly authorized representative, the possession, sale, use and distribution of fireworks for such display shall be lawful only for the purpose and on the date(s) stated in the application. No permit granted hereunder shall be transferable to another event, person, or entity, except as may otherwise be set forth herein.

SECTION 5: A bond shall be posted by the applicant in an amount deemed appropriate by the Fire Chief or the Fire Chief's authorized representative but not in an amount less than One Hundred Thousand Dollars (\$100,000.00) . Said bond shall be issued by a surety licensed to do business in the Commonwealth of Pennsylvania and shall, further, provide for payment of all damages caused to any person or persons and to any property by reason of the display and arising from any acts of the applicant, his or its agents, employees, or subcontractors, which bond shall be filed with the Township before any permit for a supervised public display of fireworks is delivered.

II. DISPLAY FIREWORKS

SECTION 1: The term "display fireworks" shall be defined as provided in Section 2401 of Act 43 of 2017 as large fireworks to be used solely by professional pyrotechnicians and designed primarily to produce visible or audible effects by combustion, deflagration or detonation. The term includes, but is not limited to:

- (1) Salutes that contain more than two grains or 130 milligrams of explosive materials;
- (2) Aerial shells containing more than 60 grams of pyrotechnic compositions; and
- (3) Other display pieces that exceed the limits of explosive materials for classification as consumer fireworks and are classified as fireworks UN0333, UN0334, or UN0335 under 49 CFR 172.101 (relating to purpose and use of hazardous materials table).

SECTION 2: It shall be unlawful for any person, persons, firms or corporations, amusement parks, fair associations or other individuals, groups of individuals, or organizations to possess or use display fireworks within the limits of the Township unless a permit is first granted by the Township.


International Fire Code and/or the UCC. The application shall include copies of all state, federal, and local permits and/or licenses needed for the use of display fireworks. The Board of Supervisors or its designee may attach conditions and/or restrictions on any permit for the use of display fireworks as deemed necessary.

- (B) All applicants shall pay to the Township the sum of Twenty Dollars (\$20.00) before issuance of a Permit and provide proof of the liability insurance required herein.
- (C) Permits granted under this section shall be for the approved purpose, date, and time only, unless extended due to unfavorable weather under Section 7.
- (D) No permit for the use of display fireworks shall be issued to an individual under the age of 21.
- (E) No permit for the use of display fireworks shall be issued to an individual unless said individual provides written documentation that he or she has all necessary federal licenses and authorizations to possess, store, and use display fireworks.
- (F) No display fireworks shall be ignited within 300 feet of a permanent or temporary fireworks facility licensed by the Pennsylvania Department of Agriculture.
- (G) No permit shall be issued to a business entity which performs, provides, or supervises the use of display fireworks for profit unless it provides proof of registration with the Pennsylvania Attorney General.
- (H) Permits issued pursuant to this Article II may not be transferred to any other person, persons, firms or corporations, amusement parks, fair associations or other individuals, groups of individuals, or organizations

SECTION 6: The Township shall require a bond from the applicant in an amount deemed appropriate by the Board of Supervisors or its designee. The bond amount shall be no less than \$1,000,000, shall be issued by a surety licensed to do business in the Commonwealth of Pennsylvania, and shall be provided for the payment of any and all damages caused to any person(s) and property by reason of the display and arising from any acts of the permittee or the permittee's agents, employees, subcontractors, or volunteers. The bond shall be in a form acceptable to the Township and no permit for the use of display fireworks shall be issued unless an acceptable bond is received by the Township.

ORDAINED AND ENACTED into this 28 day of May, 2019.

ATTEST: (SEAL)

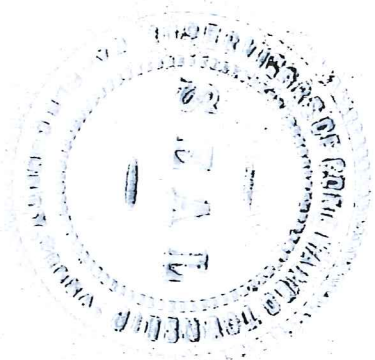

Secretary

CONEWANGO TOWNSHIP SUPERVISORS





VINCE DUCKETT - ABSENT

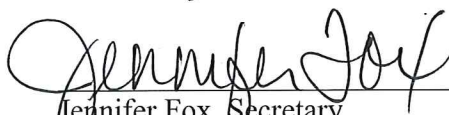


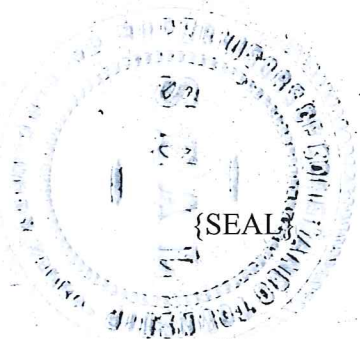
CERTIFICATE

I, Jennifer Fox, Secretary of Conewango Township, Warren County, Pennsylvania, certify that the foregoing is a true and correct copy of Ordinance No. 2019-1 the Fireworks Ordinance Amendment, passed finally at a meeting of Conewango Township, Warren County, Pennsylvania, on May 28, 2019; that said meeting above referenced was held with proper notice having been given to members and to the public, and was at all times open to the public; and that said Ordinance was duly signed by the Conewango Township Supervisors, was attested by the Secretary, and has been duly recorded in the Ordinance Book of the Township.

I further certify that a copy of the Ordinance was available for inspection by any citizen in the office of the Secretary.

IN WITNESS WHEREOF, I set my hand and the official seal of Conewango Township, Warren County, Pennsylvania, this 28th day of May, 2019.


Jennifer Fox, Secretary
Conewango Township



**CONEWANGO TOWNSHIP
FIREWORKS DISPLAYS REGISTRATON APPLICATION**

Pursuant to Township Ordinance No. _____, this application must be submitted in writing to Conewango Township prior to performing, providing or supervising a fireworks display or exhibition.

APPLICANT INFORMATION

Name of business entity: _____ Business telephone: (____) _____
Trade name, if any: _____ E-mail address: _____
Business address: _____ County: _____
City: _____ State: _____ ZIP Code: _____

BUSINESS ENTITY

Is or will your business be: Sole Proprietorship Partnership Corporation Other

If Other, please specify: _____

Provide information for business owner OR all business partners OR Chairman, President, and any majority shareholder in the corporation.

Name: _____ DOB: _____ SSN: _____

Home address: _____

City: _____ State: _____ ZIP Code: _____

Name: _____ DOB: _____ SSN: _____

Home address: _____

City: _____ State: _____ ZIP Code: _____

Name: _____ DOB: _____ SSN: _____

Home address: _____

City: _____ State: _____ ZIP Code: _____

PERMITS, CERTIFICATIONS, POLICIES

U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) permit.

Permit No.: _____ Permit type: _____ Expiration Date: _____

Pennsylvania Department of Environmental Protection (DEP) storage permit.

Permit No.: _____ Expiration Date: _____

Does your business participate in the American Fireworks Standards Laboratory (AFSL) Product Evaluation and Certification Program for Professional Display Fireworks: Yes No

Pursuant to 37 Pa. Code § 711.3, registration does not relieve the entity of the necessity of obtaining a permit from the city, borough, town or township wherein a display or exhibition is to occur. Identify any additional permits held, including those issued by local authorities:

Name of Insurance Company: _____ Policy No. _____

INDICATE THE TYPE OF BUSINESS THAT WILL BE CONDUCTED

EMERGENCY CONTACT INFORMATION

Name: _____ Cellular No. (____) _____ Other: (____) _____

Name: _____ Cellular No. (____) _____ Other: (____) _____

The foregoing information is complete, true and correct, to the best of my knowledge. I have read and understand the provisions of the Fireworks Law, 35 P.S. § 1271, et seq. I understand that should I offer for sale, sell at retail or use or explode fireworks in violation of this law, my registration is void, and I am subject to criminal prosecution.

Signature of Applicant: _____ Title: _____ Date: _____

FOR USE BY CONEWANGO TOWNSHIP

Signature of Approval: _____ Title: _____ Date: _____

**Conewango Township, Warren County, Pennsylvania
Permit To Display Fireworks
for Personal Display
or Entertainment Purposes**

This permit is issued to: _____

Address: _____

Phone: _____

The above named individual is permitted to display fireworks on the _____ day of _____,
20____, at _____ o'clock _____.M. at the following location within Conewango Township:

_____.

**The possession, sale, use and distribution of fireworks for the above display shall be lawful
only for the purpose and on the date(s) set forth above.**

By: _____ Date: _____

Signature

Printed Name of Fire Chief Issuing Permit

Printed Title of Fire Chief Issuing Permit

Contact number for Fire Chief issuing permit