

TOWNSHIP OF DRUMORE
Lancaster County, Pennsylvania

ORDINANCE NO. 2006 - 0302-02

AN ORDINANCE REGULATING PUBLIC DISPLAYS OF FIREWORKS IN THE TOWNSHIP OF DRUMORE, PROVIDING FOR THE GRANTING OF PERMITS FOR SUPERVISED PUBLIC DISPLAYS OF FIREWORKS, PRESCRIBING SAFEGUARDS CONCERNING SAME, PROHIBITING PUBLIC DISPLAYS OF FIREWORKS AND THE POSSESSION, SALE, USE AND DISTRIBUTION THEREOF FOR PURPOSES OTHER THAN PUBLIC DISPLAYS WITHOUT OBTAINING A PERMIT THEREFOR AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED by the Board of Township Supervisors of the Township of Drumore, Lancaster County, Pennsylvania, and it is hereby ordained by the authority of the same that:

SECTION 1: It shall be unlawful for any person, persons, firms or corporations, amusement parks, fair associations or other organizations or groups of individuals, to have or to hold public displays of fireworks within the limits of the Township of Drumore, unless a permit ("Permit") therefor is first granted by the Board of Supervisors of said Township, as hereinafter provided.

SECTION 2: Every such fireworks display ("Display") within the limits of said Township shall be handled by a competent operator ("Operator"), who must be approved by the Board of Supervisors or their duly authorized representative.

SECTION 3: Application for Permits shall be made in writing to the Township Zoning Officer at least thirty (30) days in advance of the date of the Display, setting forth the proposed location of the Display, the character thereof, name and address of the operator, and the name and address of the owner or owners of the grounds on which the Display is to be held, with the consent of such owner or owners thereto in writing attached. Displays held on separate days require separate applications and Permits. All applicants shall pay the Township Treasurer the sum of One Hundred Fifty (\$150.00) Dollars before issuance of a Permit and provide proof of liability insurance.

SECTION 4: If and after such Permit shall have been granted by Township Supervisors or designee, possession, sale, use and distribution of fireworks for such Display shall be lawful for that purpose only. No Permit granted hereunder shall be transferable.

SECTION 5: The Board of Supervisors of the Township of Drumore shall require a bond deemed adequate by it given by the permittee or licensee in an amount deemed appropriate by the governing body but will not be in a sum less than One Million (\$1,000,000.00) Dollars conditioned for the payment of all damages caused to any person or persons, and to any property by reason of the licensed display and arising from any acts of the licensee, his or its agents, employees, or subcontractors, which bond shall be filed with the Township Secretary before any permit for a supervised public display of fireworks is delivered.

SECTION 6: If by reason of unfavorable weather the Display for which a Permit has been granted does not take place at the time so authorized, the person to whom such Permit was issued may within twenty-four (24) hours apply to the authority having granted the same, setting forth under oath the fact that such Display was not made, giving the reason therefor, and requesting a continuance of such Permit for a day designated therein, not later than one week after the day fixed originally in said Permit. Upon receiving such application for a continuance, the said authority, if it believes the facts stated therein are true, shall extend the provisions of said Permit to the day fixed in said application, not later than one week after the original day designated in the Permit, and such extension of time shall be granted without the payment of any additional fee and without requiring any bond other than the one given for the original Permit, the provisions of which shall extend to and cover all damages which may be caused by reason of said Display taking place at such extended date in the same manner and to the same extent as if such Display had taken place at the date originally fixed in the Permit.

SECTION 7: Displays are permitted only in the Agricultural Zoning District. A Display shall not be hazardous to property or endanger any person or persons.

SECTION 8: A Display shall be set off at a distance of at least 400 feet from any neighboring property. The Applicant must ensure that visual and audible impacts on adjoining properties are mitigated by separation screening and landscaping measures. Any spectators shall be located at least 400 feet from the Display. Any wooded areas shall be at least 900 feet away from the location of the fireworks, and all fireworks shall be aimed away from such wooded areas. No structures shall be involved in a Display.

SECTION 9: A Display shall occur after dusk and conclude no later than 10:00 p.m.

SECTION 10: There shall be no overnight storage of fireworks on the Premises.

SECTION 11: At least fourteen (14) days but not more than thirty (30) days prior to the scheduled Display, the Premises shall be inspected by the chief of the local fire department or such other officer as may be designated by the Board of Supervisors to determine that the Display is not hazardous to property and will not endanger person or persons. Applicant must provide the Township Zoning Officer with written confirmation and findings of the inspection no later than seven (7) days prior to the scheduled Display.

SECTION 12: At least thirty (30) days prior to the scheduled Display, the Applicant shall advertise notice of the Display in a newspaper published at or near the Premises at Applicant's expense. The Applicant shall also provide notice of the Display to all neighboring land owners at least (30) days prior to the scheduled Display. The Applicant shall be responsible for posting such notice on the Premises. The Applicant shall notify the local fire department of the date, time and location of the Display. The local fire department shall be present, with adequate apparatus, during the entire duration of the Display.

SECTION 13: The Applicant shall provide for portable disposal facilities, an adequate water supply, and lighting of the facilities. All lighting shall be directed at the event location and not at any surrounding properties.

SECTION 14: Off-street parking shall be provided on-site. If parking is planned in an area adjacent to neighboring properties or adjoining roads, the parking area shall contain fencing to prevent vehicles from crossing onto such areas.

SECTION 15: The Display shall be open to the public and no admission fee shall be charged.

SECTION 16: Any person, co-partnership, association or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding Three Hundred (\$300.00) Dollars or in the case of individuals, the members of a partnership or corporation, by imprisonment not exceeding ninety (90) days or by both such fine and imprisonment.

SECTION 17: All ordinances or parts of ordinances that are inconsistent or conflict with this Ordinance are hereby repealed.

SECTION 18: This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Drumore Township.


ORDAINED AND ENACTED as an Ordinance this 2nd day of March, 2006, by the Board of Supervisors of Drumore Township, Lancaster County, Pennsylvania.

BOARD OF SUPERVISORS OF
DRUMORE TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA

By: [Signature]
(Vice) Chairman

Attest: [Signature]
(Asst.) Secretary

I, Anna Morris, Secretary of the Board of Supervisors of Drumore Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of Drumore Township held on March 2, 2006, at which meeting a quorum was present and voted in favor thereof.



Anna Morris, Secretary