

FIREWORKS ORDINANCE

Pursuant to RSA 160-B:10 and RSA 160-C:6, it is hereby adopted by the Board of Selectmen of the Town of Sanbornton, New Hampshire, as follows:

1. Definitions: The words used within this Ordinance shall have the same meanings as those defined in RSA 160-B:1 and RSA 160-C:1, if any, whether as currently enacted or as later amended. Otherwise, all words shall be given their ordinary meaning.
2. Any person wishing to sell Consumer Fireworks, Display Fireworks or Permissible Fireworks within the Town of Sanbornton must first possess a valid current license or permit issued by the Commissioner of the New Hampshire Department of Safety.
3. Any person wishing to display or use Display Fireworks within the Town of Sanbornton must first possess a valid current license or permit issued by the Commissioner of the New Hampshire Department of Safety. Any such display or use shall be limited to the hours of dusk and 11:00 p.m.
4. Any person wishing to display or use Consumer Fireworks or Permissible Fireworks within the Town of Sanbornton may do so without the need for a municipal license or permit; but any such use shall be limited to the hours of 11:00 a.m. to 9:30 p.m. No person can use Consumer Fireworks or Permissible Fireworks unless he or she is 21 years of age or older (or 18 years of age for a person who is in the active armed forces).
5. Any person or entity who violates the provisions of this Ordinance, shall, in addition to any other penalty or liability imposed by law, be guilty of a violation if a natural person, or guilty of a class B misdemeanor if any other person. Additionally, any such person or entity shall be subject to a civil penalty of \$100 for the first time offense and \$250 for each subsequent offense with each day of such offense counting as a separate violation. In addition to any such penalties, the Town shall recover its costs and reasonable Attorney's fees actually expended in pursuing the legal action if it is found to be the prevailing party in the action.
6. This Ordinance shall be construed consistently with the NFPA 1, Fire Prevention Code, 200 Edition, Chapter 31, and is not meant to repeal any section thereof.
7. If any provision or language herein is found to be invalid or unenforceable, superseded, or preempted under any law or regulation, such invalidity shall not affect other remaining provisions or language which can be given effect without the invalidated portion.

This Ordinance shall take effect upon passage and shall remain in full force and effect until amended or repealed by appropriate authority. The Ordinance supersedes all prior Ordinances on similar subject matter. Passed and approved by the Board of Selectmen of the Town of Sanbornton, New Hampshire at a duly called and noticed public meeting this ___1st___ day of ___ July___ 2009.

Signed this ___1st___ day of ___ July___ 2009.

Town of Sanbornton, New Hampshire
Board of Selectmen

Chairman Dave Nickerson, Andrew Livernois and Steven Ober