

**BOROUGH OF TAYLOR
PENNSYLVANIA**

**FIREWORKS DISPLAY
PERMIT APPLICATION**

GENERAL INFORMATION

Applicant (Business Name Applying for Permit)

Contact Person

Phone #

Address

City

State

Zip

Fax #

DISPLAY INFORMATION

Sponsor (Local Entity Sponsoring Display) (Permission Letter Required)

Location of Display

Contact Person

Phone #

Address

City

State

Zip

Fax #

Location of Display

Date of Display

Starting Time of Display

Estimated # of People in Attendance

PYROTECHNICIAN (DISPLAY OPERATOR) *MUST BE 21 YEARS OF AGE OR OLDER

Name of Business (If Different from Applicant)

Contact Person

Phone #

Address

City

State

Zip

Fax #

Pennsylvania Certificate of Registration (Required)

Expiration Date

Certificate of Insurance (Required)

Borough of Taylor, Fire Chief & Code Officer Named Insured (Required)

Amount of Coverage - (100K Min.)

Required Bond (YES—NO)

Issuing Company

Amount of Bond

I hereby certify that I am the APPLICANT/BUSINESS OWNER and that I am authorized to make this application. Further, I/we agree to adhere to all applicable Ordinances and Regulations of the Borough of Taylor.

Please PRINT Name of Applicant/Business Owner

E-mail: _____

Signature of Applicant/Business Owner

Date: _____

DO WRITE BELOW THIS LINE—OFFICE USE ONLY

APPROVED BY:

Please PRINT Name of Issuing Officer/Director

E-mail: _____

Signature of Issuing Officer/Director

Date: _____

PERMIT FEE: \$75.00

PROPERTY OWNER'S PERMISSION LETTER REQUIRED

This permit allows the applicant to display fireworks on the date, time, and location listed above. Permission is also granted to have the necessary fireworks shipped to the above named permit holder. All fireworks display activity must be performed in compliance with NFPA 1123 and NFPA 1126 standards. All other fire safety practices not specified in these documents, but which a prudent person would normally follow, must also be adhered to. This permit is non transferable. Permit must be available on site for the duration of each event indicated above.

NO FIREWORKS DISPLAY MAY OCCUR UNLESS AN ON-SITE INSPECTION HAS BEEN SUCCESSFULLY PASSED AT THE PROPOSED DISPLAY LOCATION.

REQUIREMENTS FOR A FIREWORKS DISPLAY PERMIT

A permit is required for the pyrotechnic display of fireworks within the Borough of Taylor. The permit is issued by the Taylor Borough Code Department. There is a \$75.00 permit fee. Application for approval shall be made in writing at least 30 days in advance of the date of the display or discharge of fireworks. The rules and regulations for the pyrotechnic display of fireworks shall be in accordance with ALL applicable state, county and local laws and ordinances and the 2000 ICC International Fire Code and NFPA 1123, 1124, and 1126.

The application submittal must include the supporting documentation as follows:

- A certificate of insurance and/or a bond with a minimum amount of liability insurance of \$100,000,000.
- A complete list of all pyrotechnic devices to be displayed. Displays before a proximate audience require the submittal of device and effect descriptions.
- Site plan(s) which detail the firing site and device layout and an overall site plan indicating the locations of spectators, the firing site, the fallout perimeter, and fireworks storage area.
- Letter of permission to display fireworks by the property owner.
- Pennsylvania Certificate of Registration for Fireworks Displays.
- Arrange for standby fire apparatus for protection down range if needed.

The Borough Fire Chief must inspect the site, fireworks, equipment, installation and display before permit is issued.

A portable fire extinguisher with a minimum rating of 2A:40BC shall be located within 50 feet of the display operator. No smoking shall be allowed within 50 feet of any area where fireworks or pyrotechnic materials are present. All fire extinguishers must bear the label of a bona fide certifying agency that is dated not more than one year prior to the performance date.

Spectators, vehicles, or readily combustible materials shall not be located within the fallout area during the display.

Any authority or authorities deeming this display unsafe due to lack of crowd control or that the crowd is in danger, may have the authority to immediately discontinue the display, or if at anytime the winds, or wet weather creates a danger, the display shall be postponed until weather conditions are acceptable to the Borough Fire Chief.

**BOROUGH OF TAYLOR
ORDINANCE NO. 1 OF 2018**

AN ORDINANCE REGULATING THE DISPLAY OF DISPLAY FIREWORKS OF ANY KIND WITHIN THE BOROUGH LIMITS OF BOROUGH OF TAYLOR AND PERMITS.

BE IT ENACTED by the Council of the Borough of Taylor and it is hereby ordained by the authority of the same.

Section 1. Scope - In order to protect life and property in the Borough of Taylor, the Borough as authorized by the Fireworks Law, 72 P.S. §9401 et. seq., §9406 & § 9402, is promulgating rules on the issuance of permits.

Section 2. Definition.

CODE OFFICER-Such official designated by Borough Council to carry out duties under this Ordinance.

CONSUMER FIREWORKS-Shall mean the term as defined in 72 P.S. § 9401.

DISPLAY FIREWORKS-Shall mean the term as defined in 72 P.S. § 9401.

“FIREWORKS” OR “FIREWORK” – Shall mean the terms “Consumer Fireworks” and “Display Fireworks” as defined in 72 P.S. § 9401 et seq., as may be amended, unless the context specifically provides otherwise.

FIREWORKS LAW-Shall mean Title. 72 P.S. § 9401 et seq.; 72 P.S. Ch. 5, Art. XXIV Note et. seq.

FIRE CHIEF-The Borough of Taylor Fire Chief.

PUBLIC OFFICER – any Taylor Borough Police Officer, sometimes herein referred to as Public Officer designated by the municipality to enforce the Borough ordinances, and also to the extent permitted by Intra-jurisdictional Agreement(s) such other Police Officers duly authorized thereunder.

VIOLATION TICKET - a form issued by a police officer to a person who violates a provision of this Part. The violation ticket is an offer by the Borough of Taylor extended to a person to settle a violation by paying the fine in lieu of a citation being issued against the violator.

Section 3. Discharge of Fireworks.

(a) Discharge of Display Fireworks shall be by permit.

(b) Permits may be granted upon application to the Code Officer after approval of the Chief of Police and the Taylor borough Fire Chief, and filing of a bond and/or certificate of

insurance by the applicants as provided in Section 4 (a). Every such display shall be handled by a competent operator approved by the Code Officer and shall be of such composition, character, and so located, discharged or fired as in the opinion of the Code Officer, after consultation with the Police Chief and Fire Chief, and after proper inspection, and shall not be hazardous or endanger any person or persons. No such permit shall be issued to a person younger than age twenty-one (21) years of age for Display Fireworks as provided in 72 P.S. § 9402.

(c) Applications for permits shall be made in writing at least thirty (30) days in advance of the date of the display. After such privilege has been granted, sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. An extension shall be governed by 72 P.S. 9403, as may be amended, when display prevented by unfavorable weather.

(e) The sale, possession, use and distribution of fireworks for display purposes (“Display Fireworks”) shall be conducted so as to be reasonably safe to persons and property. Evidence that the sale, possession, use and distribution of fireworks for display purposes has been conducted in accordance with the applicable standard specified in NFPA No 1122L shall be evidence that such design, construction, and use provides reasonable safety to persons and property. Section 4. Bond and Responsibility for Fireworks Display (“Display Fireworks”) Required.

(a) The Code Officer shall require a bond and/or a certificate of insurance from the permittee in a sum not less than One Hundred Thousand (\$100,000.00) Dollars conditioned on compliance with the provisions of this article.

(b) Before any permit for a pyrotechnic display shall be issued, the person, firm or corporation making application therefore shall furnish proof of financial responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person, firm or corporation or any agent or employee thereof, in such amount, character and form as the Public Officer determines to be necessary for the protection of the public.

Section 5. Disposal of Fireworks (“Display Fireworks”) - Any fireworks (“Display Fireworks”) that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining.

Section 6. Seizure of Fireworks - The Police Officer may seize, take, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of state law as authorized under 72 P.S. 9401 et seq.

SECTION 7. Authority for Issuance of Violation - Upon finding a violation, any Police Officer, as previously defined herein, may proceed under 72 P.S. § 9414, as may be amended.

SECTION 8. Enforcement.

1. The provisions of this Ordinance shall be enforced by the Taylor Borough Police, and as such phrase is otherwise defined above or the Pennsylvania State Police.

2. Any violation of the provisions of this Ordinance may be cause for a citation to be issued to the violator in conformance with law, including but not limited to 72 P.S. § 9414, as may be amended.

3. By way of explanation and not limitation, violations under 72 P.S. § 9404 Consumer Fireworks may be enforced hereunder or as otherwise as permitted by law.

SECTION 9. Separate Offense - Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed. The continued use after issuance of a citation may constitute a separate offense for which a separate fine or prosecution may be imposed for each act after the issuance of a citation or citations.

SECTION 10. Fines and Penalties.

A. Any person who violates this Ordinance may be issued a citation for each offense; however, nothing herein limits the Police Officer(s) ability to act under 72 P.S. 9414.

B. Nothing herein is intended to impede or restrict the prosecution of any criminal offense for any person continuing to violate the terms of this Ordinance or any order to stop or desist from any illegal conduct or from being charged with any separate offense under the criminal codes or otherwise.

SECTION 11. Conflicting Ordinances - All relevant ordinances, regulations, and policies of the Borough of Taylor, Pennsylvania not amended shall remain in full force and effect. Any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance shall be subordinate to this Ordinance to the extent of such conflict, and the language contained in the Ordinance shall control. Nothing herein is intended to repeal the Taylor Borough Zoning Ordinance. Further nothing herein is intended on limiting the Police Officers authority under Title. 72 P.S. 9401 et. seq.

SECTION 12. SEVERABILITY - If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The Borough reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes & intent of this ordinance, & the effective administration thereof.

SECTION 13. EFFECTIVE DATE - This Ordinance shall be effective at the earliest time permitted by law after adoption.

SECTION 14. REPEAL ORDINANCE No. 1 of 2017. Ordinance No. 1 of 2017 is repealed hereby, however, nothing is intended to effect the prosecution or penalty for any offense. penalty or enforcement undertaken under said Ordinance prior to the time of its repeal.

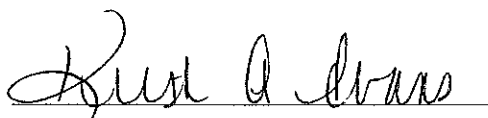
SECTION 15. This Ordinance is enacted by the Council of the Borough of Taylor under the Borough Code and any other applicable law arising under the laws of the State of Pennsylvania , including but not limited to 72 P.S. § 9406.

ORDAINED AND ENACTED THIS th day of April, 2018.

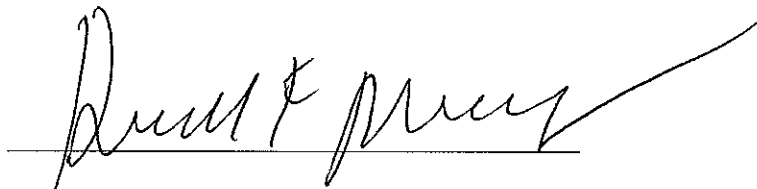
ATTEST:

The Borough of Taylor

BY



Kristi A. Evans, Secretary



Kenneth F. Mickavicz, President of Council

Approved this th day of April 2018.



Theodore Praschak, Mayor