



Town of Pittsford

"The Sunshine Village"

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Town of Pittsford, Vermont **Ordinance Relating to the Use of Fireworks within Pittsford**

Pursuant to Chapters 59 and 61 of Title 24, and Chapter 177 of Title 20, Vermont Statutes Annotated, the following ordinance is adopted by the Select Board of the Town of Pittsford:

Section 1: Findings

The Select Board finds and determines that the unregulated use and discharge of fireworks (as defined in 20 VSA 3131) within the Town of Pittsford constitutes a public nuisance, a hazard to public and private property and an endangerment to persons.

Section 2: Prohibition

No person shall use, discharge, ignite, fire or display fireworks within the Town of Pittsford without first obtaining a Town permit to do so.

Section 3: Permit Application

- a) A person seeking to use, discharge, ignite, fire or display fireworks within the Town of Pittsford shall submit a permit application to the Pittsford Fire Chief and the Pittsford Police Chief, or their designees. The application shall be made on a form prepared by the Town and it shall be submitted at least fifteen (15) days in advance of the intended fireworks display date.
- b) The application shall identify the person applying for the permit and to whom the permit shall issue, the location of the property upon which this display is proposed, along with the consent of the landowner if the landowner is not the same person as the applicant, the date and time of the proposed display, and the nature and duration of the proposed display.
- c) The Fire Chief and Police Chief may, upon exercising their discretion, approve such application and issue a written fireworks display permit to the applicant if they both determine that the proposed display shall be of a character not so located, discharged or fired as to be hazardous to property or endanger any person.
- d) The Town shall charge an administrative fee of \$15.00 for handling and processing any fireworks permit application, regardless of whether a permit is issued.

Section 4: Penalties

- a) A person who fails to abide by any of the conditions set forth in any fireworks permit issued by the Town shall be guilty of a misdemeanor and shall be fined not more than \$75.00 for each permit condition that is violated.
- b) A person who violates this ordinance by using, discharging, igniting, firing or displaying fireworks within the Town of Pittsford without obtaining a permit hereunder shall be guilty of a misdemeanor and shall be fined \$250.00 for the first violation and \$500.00 for the second and all subsequent violations.

Section 5: Designation

This ordinance is designated a criminal ordinance under 24 VSA 1971 (b).

Section 6: Indemnification

The acceptance of a permit issued under this ordinance shall be deemed to constitute the Permittee's waiver of any claim for damages or injury arising out of or caused by such Permittee's display asserted against the Town of Pittsford and shall constitute the Permittee's agreement to indemnify and hold the Town of Pittsford from all claims, demands or suits arising out of or caused by such Permittee's display.

Section 7: Effective Date

This ordinance shall take effect sixty days from the date of the adoption unless disapproved by a vote of the Town of Pittsford following submission of a petition, as provided in 24 VSA 1973.

**Adopted by the Pittsford Select Board at its meeting held on January 3, 2018.
Ordinance effective on March _____, 2018.**