

# CITY OF GREENWOOD, MISSOURI FIREWORKS ORDINANCE

## ARTICLE V. USE OF FIREWORKS

### SECTION 605.090: DEFINITION

As used in this Article, the following terms shall have the prescribed meaning:

*CONSUMER FIREWORKS:* Explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, 1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as Class C common fireworks by regulation of the United States Department of Transportation.

*DISPLAY FIREWORKS:* Explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two (2) grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, UNO335, 1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as Class B display fireworks by regulation of the United States Department of Transportation.

*PROXIMATE FIREWORKS:* A chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration or detonation, as defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, Section 3.8, specific requirements for theatrical pyrotechnics. (Ord. No. 2006-01-23-02 §1, 1-23-06; Ord. No. 2008-05-27-09 §1, 5-27-08)

### SECTION 605.100: PERMIT FOR PUBLIC DISPLAY OF FIREWORKS

Notwithstanding any other provision in this Article to the contrary, the Director of Building and Zoning or his or her designee, upon recommendation from the appropriate fire protection service provider, may issue a permit for a maximum period of twenty-four (24) consecutive hours for the possession and use of fireworks, including display fireworks and proximate fireworks, for the purpose of organized public fireworks exhibitions, including on public property, provided that the permit holder takes adequate safety precautions to protect the public from injury or property damage and provided that the exhibition is conducted by skilled, qualified persons. (Ord. No. 2006-01-23-02 §1, 1-23-06; Ord. No. 2007-12-10-06 §1, 12-10-07; Ord. No. 2008-05-27-09 §2, 5-27-09)

### SECTION 605.110: SAFETY REQUIREMENTS

- A. No permit shall be issued for any location where paints, oils or varnishes are manufactured or kept for use or sale nor where rosin, turpentine, gasoline or other similar inflammable

substances or any substance which may generate inflammable vapors is used, stored or offered for sale or where the Fire Inspector shall determine that any condition exists which makes the storage or sale of fireworks at such location unusually hazardous.

- B. No fireworks shall be stored, kept or discharged within one hundred (100) feet of any gasoline pump, gasoline filling station, gasoline bulk station or any building in which gasoline or volatile liquids are sold in quantities in excess of one (1) gallon.
- C. Each permittee shall keep and maintain at least two (2), five (5) pounds each, A.B.C. dry chemical fire extinguishers with a 2-A rating or over, mounted in plain view, per location, near a path of travel.
- D. The smoking or carrying of a lighted pipe, cigar, cigarette or tobacco in any form is prohibited in all places where fireworks are displayed within fifty (50) feet thereof.
- E. No person shall ignite or discharge any fireworks within or throw the same from a motor vehicle while within; nor shall any person place or throw any ignited articles of fireworks into or at a motor vehicle.
- F. No person shall ignite or discharge any fireworks on public property, including streets and parks, unless pursuant to a permit issued under Section 605.100.
- G. It shall be unlawful to discharge fireworks from the roof or from the inside of any building.
- H. No person shall knowingly ignite or discharge any fireworks at or onto the property of another without first obtaining consent of the owner, lessee or occupant of such property.
- I. Reserved.
- J. Reserved. (Ord. No. 2006-01-23-02 §1, 1-23-06; Ord. No. 2007-12-10-06 §§2–3, 12-10-07; Ord. No. 2008-05-27-09 §3, 5-27-08)

#### **SECTION 605.115: CONSUMER FIREWORKS**

- A. The possession, storage, handling and use of consumer fireworks shall be permitted within the corporate limits of the City of Greenwood, Missouri, except that it shall be unlawful for any person to possess, store, handle or use, within the corporate limits of the City, the following consumer fireworks:
  - 1. Rockets on a stick;
  - 2. Missiles with fins or rudders for the purpose of achieving aerodynamic flight; and
  - 3. Roman candles with or without spikes, identified by the word "Candle" on the label with the following wording on the caution label: "WARNING SHOOTS FLAMING BALLS" or "WARNING SHOOTS FLAMING BALLS AND REPORTS" and not

including California candles or illuminating torch with the following wording on the caution label: "CAUTION EMITS SHOWERS OF SPARKS" and single or multi-shot parachutes, with night or daytime effects.

- B. No fireworks of any kind may be sold within the City except as may otherwise be permitted by the City on City owned property. The possession or discharge of consumer fireworks is allowed.
- C. The use of consumer fireworks pursuant to this Section within the City limits shall only be permitted between the Friday before the Park and Receptions Board's Freedom Celebration (traditionally the last Saturday in June) through and including July fourth (4th). The hours during which consumer fireworks may be discharged are:
  - 1. No earlier than 10:00 A.M.;
  - 2. No later than:
    - a. On a Friday, 11:00 P.M.;
    - b. On a Saturday, Midnight;
    - c. On a Sunday, Monday and Tuesday, Wednesday and Thursday 10:00 P.M.;
    - d. On July fourth (4th);
      - (1) If it falls on Sunday, Monday, Tuesday, Wednesday or Thursday, 11:00 P.M.;
      - (2) If it falls on a Friday or Saturday, Midnight.
- D. It shall be unlawful for any person to throw, use, explode, detonate, aim, point or shoot consumer fireworks in such a manner that after it is ignited, it, or any part thereof, lands on property not owned by the person shooting the fireworks without first obtaining consent of the owner, lessee or occupant of such property.
- E. It shall be unlawful for any person to throw, use, explode, detonate, or shoot consumer fireworks within six hundred (600) feet of any church, hospital, mental health facility or school.
- F. It shall be unlawful for any person to throw, use, explode, detonate, or shoot consumer fireworks within any structure.
- G. No person shall use, explode, detonate or shoot fireworks within, or throw the same from, a motorized vehicle including watercraft or any other means of transportation, nor shall any person place or throw any ignited firework into or at a motorized vehicle including watercraft or any other means of transportation, or at or near any person, group of people or animal.

- H. No person shall throw, use, explode, detonate or shoot fireworks within three hundred (300) feet of any permanent storage of ignitable liquid, gases, gasoline pump, gasoline filling station, or any non-permanent structure where fireworks are stored, sold or offered for sale. (Ord. No. 2008-05-27-09 §4, 5-27-08; Ord. No. 2009-08-10-04 §1, 8-10-09; Ord. No. 2012-06-26-03 (Bill No. 2674) §1, 6-26-12; Ord. No. 2013-6-27-03, 6/27/13; Ord. No. 2015-2887, 4/28/2015)

**SECTION 605.120: EXCLUSIONS**

Nothing in this Article shall be construed as applying to the manufacture, storage, sale or use of signals necessary for the safe operation of railroads or other classes of public transportation or of illuminating devices for photographic use, nor as applying to the military or naval forces of the United States or of this State or to Peace Officers, nor as prohibiting the sale or use of blank cartridges for ceremonial, theatrical or athletic events. (Ord. No. 2006-01-23-02 §1, 1-23-06)

**SECTION 605.130: PENALTIES**

Any person, firm or corporation violating the provisions of this Section shall, upon conviction, be adjudged guilty of a misdemeanor and be punished according to Section 100.050 of this Code. Violation of any of the provisions of this Article shall also cause an immediate and automatic revocation of all permits issued pursuant to this Chapter 605. Furthermore, any violation which involves the use of fireworks, other than permissible fireworks, shall cause an automatic forfeiture of that merchandise to the City. (Ord. No. 2006-01-23-02 §1, 1-23-06; Ord. No. 2008-05-27-09 §5, 5-27-08)