

TOWN OF WEATHERSFIELD, VERMONT

FIREWORKS POLICY

I. Authority

This policy is adopted pursuant to the authority granted in Title 24, Section 872 of the Vermont Statutes Annotated.

II. Purpose

To promote the safety and wellbeing of all residents and visitors, the Town of Weathersfield upholds Vermont Statute Title 20, Chapter 177, Subchapter 3, on the sale and use of fireworks, and guidelines set forth by the Vermont State Department of Public Safety, Division of Fire Safety.

III. Definitions

Definitions are defined by Vermont Statute Title 20:177, 3131.

IV. Prohibitions; Permits

According to Vermont Statute Title 20:177, 3132, it shall be unlawful for any person, firm, co-partnership or corporation to do any of the following, with exceptions only as provided:

(1) Offer for sale, expose for sale, sell at retail or wholesale, or possess fireworks unless the person has been issued a permit by both the U.S. Bureau of Alcohol, Tobacco, and Firearms and the municipality in which the person offers for sale and stores the fireworks.

(2) Use, possess, or explode any fireworks unless the person has been issued a permit to display fireworks by the Town of Weathersfield.

(3) Transport fireworks except in interstate commerce.

(4) Offer for sale or sell hand-held sparklers to a minor, as described in Vermont Statute Title 20:177, 3131.

(5) Offer for sale or sell sparklers that are not in compliance with the United States Consumer Product Safety Commission regulations.

Any display for which a permit is issued shall be handled by a competent operator and located, discharged or fired as shall not be hazardous to property or endanger any person or persons. Approval will be granted by the Weathersfield Select Board, with additional signatory acknowledgments required by the Weathersfield Police Chief, Ascutney Fire Chief, Weathersfield Fire Warden, West Weathersfield Fire Chief and the Town Manager

Application for permits shall be made to the Weathersfield Town Manager, in writing, at least 21 days in advance of the date of the display. After the permit has been granted, sales, possessions, use and distribution of fireworks for the display shall be lawful for that specific purpose and date/rain date only. No permit granted under this section shall be transferable.

The Town of Weathersfield will not issue a permit when a state or local ban on outside burning is in effect. A permit that has been approved prior to a burning ban shall be suspended, unless a formal waiver is obtained due to available additional resources to lessen any fire danger.

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V. Enforcement

The Vermont State Police and Fire Marshal, sheriff or deputy sheriff, or Weathersfield Police may seize such articles held by a person in violation of this policy and hold the same subject to the order of the court taking jurisdiction of the offense.

According to Vermont Statute Title 20:177, 3135, any person, firm co-partnership or corporation that:

(1) Violates this subchapter shall be guilty of a misdemeanor and subject to a fine of not more than \$100.00 for each violation or imprisoned for not more than 30 days or both.

(2) Presents an indoor firework display without first receiving a permit shall be guilty of a misdemeanor and shall be subject to a fine of not more than \$5,000.00 or imprisonment of not more than one year, or both. (Amended 1967, No. 345 (Adj. Sess.), § 30, eff. April 1, 1969; 2003, No. 15, § 3, eff. May 6, 2003.)

VI. Effect

No section of this policy shall be construed to supersede or replace any Vermont Statute.

This policy is hereby adopted by the Selectors of the Town of Weathersfield, Vermont, this 15th day of May, 2017, and is effective as of this date until amended or repealed.

Chairperson

Town of Weathersfield, Vermont

Application for Fireworks Display

Sponsor of the Display: _____

Name of Sponsor's Authorized Representative: _____

Mailing Address: _____

Phone Number: _____ Email: _____

Location of Display: _____

Date of Display: _____ Display Time: From _____ To _____

Details of Display: Consumer Style yes Display Style, UN labeled 1.3 yes

Maximum Shell Size: _____

Location of fireworks storage prior to discharge: _____

Company Discharging the Display: _____

Name of Company Representative: _____

The following is attached:

_____ Site Plan to scale with dimensions, noting launch area, safety zone, tree lines, audience area and parking.

_____ Description of the safety measures that will be employed, such as ease of accessibility by first responders, general fire protection measures, and security of the safety zone.

_____ Certificate of Liability Insurance: if display style, from the company discharging the fireworks; or, if consumer style, from the property owner.

Sponsor agrees that the Town of Weathersfield shall be held harmless for any personal injury or property damage that may occur from any permitted fireworks display. Sponsor and Authorized Representative agree by signing they have read and will comply with the Weathersfield Fireworks Policy and the pertinent Vermont State Statute.

Signature of Sponsor's Authorized Representative

Date

Acknowledgements: _____

Weathersfield Police Chief

Weathersfield Fire Warden

Ascutney Volunteer Fire Department Fire Chief

West Weathersfield Volunteer Fire Department Fire Chief

Town Manager

Action by Board: _____ Approved _____ Denied Date of Action: _____

Selectboard Chair

Terms and Conditions: _____
