

CHAPTER 98: FIREWORKS

Section

- 98.01 Adoption
- 98.02 Storage and sale
- 98.03 Public display of fireworks
- 98.04 Permit required
- 98.05 General restrictions
- 98.06 License; insurance policy required
- 98.07 Inspection
  
- 98.99 Penalty

§ 98.01 ADOPTION.

The city hereby adopts and makes a part of this chapter, by reference, Kentucky Revised Statutes 227.700 through and including 227.990, including the definitions contained therein.  
(Ord. 19:97, passed 8-25-97)

§ 98.02 STORAGE AND SALE.

(A) The storage and the sale of fireworks must be conducted in accordance with and only in areas permitted for storage and/or retail sales under the city zoning ordinance.

(B) The storage and the sales of fireworks within the city must be made within the confines of a permanent structure and such storage and sale of fireworks shall not be within or from any temporary structure.

(C) The storage and the retail sales of fireworks shall comply with all federal and state rules and regulations.

(D) All persons involved in the storage and sale of fireworks must be sixteen (16) years of age or older.

(E) Sales of fireworks shall not be made to anyone who is not at least sixteen (16) years of age at the time of said sales.

(F) There shall be adequate fire extinguisher on the premises where fireworks are stored or sold.

(G) There shall be a functioning telephone on the premises where fireworks are stored or sold and the telephone shall be easily accessible at all times for the purpose of calling the fire department or summoning any other needed assistance.

(Ord. 19:97, passed 8-25-97) Penalty, see § 98.99

§ 98.03 PUBLIC DISPLAY OF FIREWORKS.

(A) The public display of fireworks must be conducted in accordance with and only in areas permitted for such display under ordinances of the city and specifically approved by the city Building

Inspector and Fire Chief.

(B) Public display of fireworks shall be permitted only when the actual point at which the fireworks are to be fired is at least the distance set forth below and twenty-five (25) feet from any overhead obstruction.

Minimum Radius of Display Site for Outdoor Display of Fireworks

Shell Size    Fallout Area

<	3 in. (76 mm)	140 ft. (43m)
	3 in. (76 mm)	210 ft. (64m)
	4 in. (102 mm)	280 ft. (85m)
	5 in. (127 mm)	350 ft. (107m)
	6 in. (152 mm)	420 ft. (128m)
	7 in. (178 mm)	490 ft. (149m)
	8 in. (203 mm)	560 ft. (170m)
	10 in. (254 mm)	700 ft. (214m)
	12 in. (305 mm)	840 ft. (256m)
>	12 in. (305 mm)	Approval of city Building Inspector

(C) All projectiles shall be set up so that they will fire as nearly vertical as possible.

(D) Aerial shells exceeding 6" or having more than a single break shall be fired only by a competent company actively engaged in the practice of performing fireworks display demonstrations.

(E) Any fireworks that remain unfired after the display is concluded shall be immediately destroyed by the operator.

(F) All debris resulting from any public display shall be cleaned up and removed immediately by the operator after conclusion of the public display.

(G) At least two soda acid or other approved Class A (water type) fire extinguishers of at least 2½ gallons capacity each shall be kept at as widely separated points as possible within the actual area in which the discharging is being done.  
(Ord. 11:2000, passed 7-10-00)

§ 98.04 PERMIT REQUIRED.

(A) Permit for Public Display. A permit must be obtained and shall be issued for the purpose of any public display of fireworks. The permit shall be valid for a specific date only and shall cost ten dollars (\$10.00) (this fee may be waived at the discretion of the Board of City Council or city Building Inspector). A permit will be issued upon compliance with the above requirements and upon submission of a complete and accurate diagram showing the point at which the fireworks are to be discharged, the location of all building, highways and other

lines of communication and the location of possible overhead obstructions. Additionally, the name of the company or individual supervising the display and a complete resume of the operators experience or license must be submitted.

(B) Permit for Storage or Retail Sale. A permit must be obtained and shall be issued for the purpose of storage or retail sales of fireworks and the permit shall be valid for a twelve (12) month period and shall cost ten dollars (\$10.00) annually. It shall be illegal to store or to offer for retail sale or to sell at retail any fireworks without first obtaining and having in force a valid fireworks permit issued by the city.

(C) The Display of Permit. The permit for storage, retail sales or public display of fireworks shall be prominently displayed at all times on the premises where fireworks are stored, offered for sale or publicly displayed and the permit shall be available for inspection at all times.

(Ord. 19:97, passed 8-25-97, Am. Ord. 11:2000, passed 7-10-00)  
Penalty, see § 98.99

#### § 98.05 GENERAL RESTRICTIONS.

(A) There shall be no smoking permitted on the premises where fireworks are stored or offered for sale and appropriate no smoking signs shall be conspicuously displayed on said premises.

(B) There shall be no storage, sales or public display of fireworks within any of the residential zones as defined in the city zoning ordinance.

(C) There shall be no storage or sales of fireworks on premises which sell gasoline or petroleum products. Paint, lighter fluids and camping fuel in small quantities are exempt if a separation distance of 75 feet is maintained between the fireworks and the exempt products.

(D) There shall be no sleeping accommodations within the premises where fireworks are stored or offered for sale and no one shall be allowed to sleep within said premises.

(E) There shall be no storage, sales or public displays of fireworks within one hundred (100) feet of any gasoline storage tanks or gasoline dispensing pumps.

(F) No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than fifteen (15) mph. Extremely dry conditions may govern also. In such cases, the local fire chief may authorize the display to be rescheduled.

(Ord. 19:97, passed 8-25-97; Am. Ord. 11:2000, passed 7-10-00; Am. Ord. 17:2002, passed 8-12-02) Penalty, see § 98.99

#### § 98.06 LICENSE; INSURANCE POLICY REQUIRED.

(A) Anyone storing fireworks, offering fireworks for sale or having a public display for profit shall obtain a city occupation

license and shall conspicuously display same on the premises. This is separate from the permit requirements set forth above.

(B) The storekeeper or vendor of fireworks shall obtain a minimum of five hundred thousand dollars (\$500,000.00) liability insurance policy which shall also name the city as an insured party.

(C) Upon issuance of a permit for a public display, the permit holder shall submit to the city Building Inspector a bond or certificate of insurance of a minimum of five hundred thousand dollars (\$500,000.00)

(Ord. 19:97, passed 8-25-97; Am. Ord. 11:2000, passed 7-10-00)  
Penalty, see § 98.99

§ 98.07 INSPECTION.

(A) The storekeeper or vendor of fireworks shall maintain a current inventory control sheet which shall be kept on the premises and available for inspection at all times.

(B) The premises where fireworks are stored, offered for sale or is a location for a public display shall be available for reasonable inspection at all times by designated authorities of the city.

(C) The city Fire Chief and the city Building Inspector shall be responsible for inspections and maintenance of compliance with the requirements of this chapter and the ten dollar (\$10.00) permit fee shall be to provide a means of control and registration of such business.

(Ord. 19:97, passed 8-25-97; Am. Ord. 11:2000, Passed 7-10-00)  
Penalty, see § 98.99

§ 98.99 PENALTY.

(A) Violations of the provisions of this chapter shall result in revocation of the permit until full compliance has been reestablished and a re-issuance fee of fifty dollars (\$50.00) shall be charged at the time of re-issuance to defray costs and expenses involved therein.

(B) Any person in violation of this chapter shall be subject to the penalty set forth in § 92.99

(Ord. 19:97, passed 8-25-97)