

ORDINANCE No. 2007 - 05

AN ORDINANCE OF PENN TOWNSHIP, SNYDER COUNTY, PENNSYLVANIA, REGULATING PUBLIC DISPLAYS OF FIREWORKS IN THE TOWNSHIP, PROVIDING FOR THE GRANTING OF PERMITS FOR SUPERVISED PUBLIC DISPLAYS OF FIREWORKS, PRESCRIBING SAFEGUARDS CONCERNING SAME, PROHIBITING PUBLIC DISPLAYS OF FIREWORKS AND THE POSSESSION, SALE, USE AND DISTRIBUTION THEREOF FOR PURPOSES OTHER THAN PUBLIC DISPLAYS WITHOUT OBTAINING A PERMIT THEREFOR AND PRESCRIBING PENALTIES FOR VIOLATIONS

WHEREAS, in accordance with 1939, May 15, P.L. 1234 (35 P.S. §1271 et seq.), as amended, the responsibility and duty of issuing permits for fireworks displays now rests with the local municipalities in which such displays are to be conducted; and

WHEREAS, said act provides for certain standards and requirements to be met in order to issue such permits.

NOW, THEREFORE, BE IT ORDAINED by the Board of Township Supervisors of Penn Township, Snyder County, Pennsylvania, and it is hereby ordained by the authority of the same that:

SECTION 1: It shall be unlawful for any person, persons, firms or corporations, amusement parks, fair associations or other organizations or groups of individuals, to have or to hold public displays of fireworks within the limits of Penn Township, unless a permit therefor is first granted by the Board of Supervisors of said Township, as hereinafter provided.

SECTION 2: Every such display within the limits of said Township shall be handled by a competent operator, and which display shall be of such character and so located, discharged or fired, as in the opinion of the Board of Supervisors, or their duly authorized representative, after proper inspection, shall not be hazardous to property or endanger any person or persons.

SECTION 3: Application for permits shall be made in writing to the Township Secretary at least thirty (30) days in advance of the date of display, setting forth the proposed location of

the display, the character thereof, name and address of the operator, and the name and address of the owner or owners of the grounds on which the display is to be held, with the consent of such owner or owners thereto in writing attached. All applicants shall pay the Township Treasurer such permit fee as may be prescribed from time to time by Resolution of the Board of Supervisors before issuance of a Permit and provide proof of liability insurance.

SECTION 4: If and after such permit shall have been granted by Township Supervisors or designee, possession, sale, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

SECTION 5: The Board of Supervisors of the Township of Penn shall require a bond deemed adequate by it given by the permittee or licensee in an amount deemed appropriate by the governing body but will not be in a sum less than one Million (\$1,000,000.00) Dollars conditioned for the payment of all damages caused to any person or persons, and to any property by reason of the licensed display and arising from any acts of the licensee, his or its agents, employees, or subcontractors, which bond shall be filed with the Township Secretary before any permit for a supervised public display of fireworks is delivered.

SECTION 6: If by reason of unfavorable weather the display for which a permit has been granted does not take place at the time so authorized, the person to whom such permit was issued may within twenty-four (24) hours apply to the authority having granted the same, setting forth under oath the fact that such display was not made, giving the reason therefor, and requesting a continuance of such permit for a day designated therein, not later than one week after the day fixed originally in said permit. Upon receiving such application for a continuance the said authority, if it believes the facts stated therein are true, shall extend the provisions of said permit to the day fixed in said application, not later than one week after the original day designated in the permit, and such extension of time shall be granted without the payment of any additional fee and without requiring any bond other than the one given for the original permit, the provisions of which shall extend to and cover all damages which may be caused by reason of said display taking place at such extended date in the same manner and to the same extent as if such display had taken place at the date originally fixed in the permit.

SECTION 7: Any person, copartnership, association or corporation violating the provisions of this act shall be guilty of a summary offense, and upon conviction thereof, shall be punished by a fine not exceeding one hundred (\$100.00) Dollars or in the case of individuals, the members of a partnership or corporation, by imprisonment not exceeding ninety (90) days or by both such fine and imprisonment.

SECTION 8: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 9: This Ordinance shall become effective five (5) days after its passage or adoption.

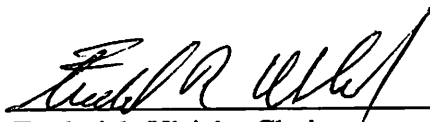
ORDAINED AND ENACTED this 21st day of August, 2007.

**PENN TOWNSHIP
BOARD OF SUPERVISORS**

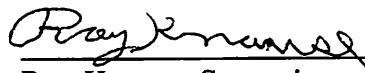
ATTEST:



Robin Bieber, Secretary

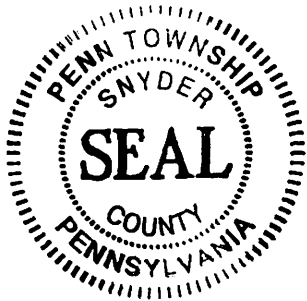


Frederick Ulrich, Chairman



Roy Knause, Supervisor

(Township Seal)



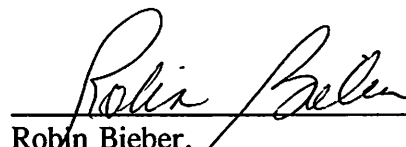


Jon Payne, Supervisor

CERTIFICATION

I, Robin Bieber, Secretary of the Board of Supervisors of Penn Township, Snyder County, Pennsylvania, hereby attest and certify that the foregoing is a true and correct copy of Penn Township Ordinance No.2007 - 05, which was duly enacted at the regular meeting of the Board of Supervisors of the Township of Penn on August 21, 2007.

Dated: August 21, 2007



Robin Bieber,
Penn Township Secretary

(Township Seal)

