

FIREWORKS ORDINANCE  
BOROUGH OF APOLLO  
ORDINANCE NO. 283-21

AN ORDINANCE OF THE BOROUGH OF APOLLO ESTABLISHING  
RULES AND REGULATIONS FOR THE POSSESSION, USE AND DISCHARGE  
OF FIREWORKS WITHING THE APOLLO BOROUGH LIMITS AND TO  
REPEAL AND REPLACE APOLLO BOROUGH ORDINANCE DATED SEPTEMBER, 7<sup>TH</sup>, 1937

**I. Scope:**

It is the intent of this Ordinance to protect the health, safety and welfare of the general public through limiting the use of fireworks. Fireworks, by nature, contain explosives which when misused can damage property and endanger human life. Display or discharge shall comply with the requirements of this Ordinance and applicable State/Federal law.

**II. Definitions.**

The term "fireworks" shall mean and include, but not be limited to, the following:

1. Any combustible or explosive composition or any substance or combination of substances, or, except as hereinafter provided containing more than twenty-five hundredths grain of combustible material in paper cap form;
2. Any article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation and shall include blank cartridges and toy cannons in which explosives are used. The term "fireworks" under this Ordinance shall specifically not include the following: sparklers, toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five hundredths' grains of combustible material or less.

**III. Prohibitions:**

A person may not intentionally ignite or discharge:

1. Any fireworks on Borough streets, sidewalks, parks, or other Borough-owned property.
2. Any fireworks on private property without the express permission of the owner, proof of which may be required.
3. Any fireworks or sparking devices within, or throw fireworks or sparking devices from, a motor vehicle or building.
4. Any fireworks or sparking devices into or at a motor vehicle or building or at another person.
5. Any fireworks or sparking devices while the person is under the influence of alcohol, a controlled substance or another drug.
6. Any fireworks within 150 feet of any structures or vehicles

**IV. Time restriction:**

No fireworks shall be ignited or discharged between the hours of 11 p.m. and 8 a.m., except that on:

- A. New Year's Day, they shall be permitted between 12:00 a.m. (midnight) until 12:30 a.m.
- B. 4th of July, they shall be permitted until 12:00 a.m. (midnight)

## V. Permits

Permissible purposes. Display fireworks may be possessed and used by a person holding a permit issued by the Borough of Apollo.

- A. **Application.** A permit may only be issued following the submission of written application to the Borough not less than 30 (Thirty) days before the date of the display fireworks. The Borough may adopt by resolution an official permit application and fee, which may be amended from time to time as may be determined by Borough Council.
- B. **Age limitation.** A display fireworks permit may not be issued to a person under 18 (Eighteen) years of age.
- C. **Insurance.** Must provide proof of liability insurance

## VI. Use of Display Fireworks

1. Display fireworks shall be subject to the following conditions:
  - a. Each display shall be handled by a competent operator; and
  - b. Each display shall be located, discharged or fired as, in the opinion of the Chief of the Apollo Volunteer Fire Company/Department or other appropriate officer as may be designated by the Apollo Borough Council, after proper inspection, to not be hazardous to property or endanger any person.
2. After permission is granted under this chapter, use of display fireworks for display shall be lawful for that purpose only.

## VII. Stopping fireworks for violations or public safety:

In the event of any violation of this chapter, or in the event of any unsafe condition occurring before or during the course of a fireworks display, or in the event of any unsafe condition occurring as a result of any use of consumer, display or other fireworks within the Borough of Apollo, the Pennsylvania State Police, Apollo Borough Police, Fire Chief, or any other authorized Borough representative, may, before or during the unsafe and/or violating occurrence, order such fireworks use or display to be stopped in the interest of public safety.

## VIII. Violations and Penalties:

A person or persons violating the provisions of this act shall be punished by a fine not exceeding Five Hundred (\$500.00) Dollars for the first offense. After the first offense, another violation shall be punished by a fine not exceeding One Thousand (\$1,000.00) Dollars or by imprisonment not exceeding ninety (90) days or by both such fine and imprisonment.

## IX. Repealer:

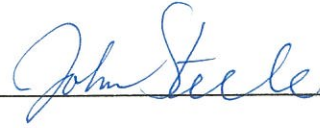
All ordinances or parts of ordinances that are inconsistent herewith shall be and the same expressly are repealed. Specifically, Ordinance dated September 7<sup>th</sup>, 1937 is hereby repealed.

## X. Effective date:

This Ordinance shall become effective in accordance with applicable law.

ORDAINED and ENACTED by the Borough Council of the Borough of Apollo in lawful

session duly assembled this 26<sup>th</sup> day of August, 2021



John Steele, President

Apollo Borough Council



Cynthia Virostek, Mayor

Apollo Borough

ATTEST:



Deanna Shupe, Secretary/Treasurer

Apollo Borough