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PART 1

NUISANCES

§ 10-101. Short Title. [Ord. 100, 5/27/1986, § 1]

This Part shall be known as the "Nuisance Ordinance."

§ 10-102. Definitions. [Ord. 100, 5/27/1986, § 2]

The following words and phrases, when used in this Part, shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

ABANDONED OR JUNK VEHICLE — Any vehicle which is parked or stored on private property and:

- A. Does not bear all of the following: a valid registration plate, a valid certification of inspection and an ascertainable vehicle identification number; or
- B. Which has been stripped, damaged or is in such a state of disrepair that it has no value except for junk or salvage.

DANGEROUS STRUCTURE — Any structure which has deteriorated, been damaged or is in disrepair to the extent that it is dangerous and unsafe for human occupancy, or constitutes a fire hazard, or endangers surrounding buildings, or shelters rats or other vermin or endangers the health, safety and welfare of the residents of East Rockhill Township.

DISTURBING NOISES AND SOUND — Any sound which:

- A. Endangers or injures the safety or health of humans or animals; or
- B. Annoys or disturbs a reasonable person of normal sensitivities.

LITTER, TRASH, JUNK AND DEBRIS — All waste and discarded materials, including garbage (animal, vegetable or organic waste), trash, rubbish, street cleanings, paper, wrappings, ashes, cigarettes, cardboard, cans, bottles, yard clippings, leaves, wood, metal, parking boxes, nails, glass, bedding, tree limbs and any and all other waste materials deposited or stored on public or private property.

PERSON — Any individual, partnership or corporation.

§ 10-103. Nuisances Defined and Prohibited. [Ord. 100, 5/27/1986, § 3]

1. The accumulation or storage of litter, trash, junk and debris in a manner which is contrary to the health, safety and welfare of the residents of East Rockhill Township is declared to be a nuisance and is hereby prohibited.
2. An abandoned or junk vehicle is declared to be a nuisance and is hereby prohibited. Nothing in this Part shall prohibit a person from storing an abandoned or junk vehicle provided that the vehicle is within an enclosed building.
3. A dangerous structure is declared to be a nuisance and is hereby prohibited.
4. It is hereby declared to be a nuisance for any person within the limits of the Township of East Rockhill to own or have under his control any dog or other animal or fowl and permit the same to emit disturbing noises or sounds of such frequent occurrence or nature as to annoy nearby residents, and it is hereby prohibited.

§ 10-104. Notice of Violation. [Ord. 100, 5/27/1986, § 4]

1. Upon discovery and reasonable belief that a nuisance listed in § 10-103, Subsection 1, 2 or 3, of this Part exists, it shall be the duty of the East Rockhill Township Police Department or other authorized representative of the Township to give written notice of the violation or violations to the owner and/or occupant of the property upon which the nuisance is located. Such notification shall direct the owner and/or occupant to commence correction or removal of the nuisance within five days of receipt of the notice and to completely correct or remove the nuisance within 30 days of receipt of the notice.
2. Penalties as prescribed in § 10-106 shall not commence until the thirty-day period for correction or removal of the nuisance has expired. After the expiration of that thirty-day period, each day's continuance of a violation of § 10-103, Subsection 1, 2 or 3, shall constitute a new and separate offense.
3. No notice of violation need be provided for the nuisance described in § 10-103, Subsection 4.

§ 10-105. Removal of Nuisance by the Township. [Ord. 100, 5/27/1986, § 5]

Subsequent to the expiration of the thirty-day period for correction or removal of the nuisance, East Rockhill Township may remove, or may contract for the removal of, the nuisance and may recover the cost of each removal, plus a penalty equivalent to 10% of the cost of removal, in any manner prescribed by law.

§ 10-106. Penalties. [Ord. 100, 5/27/1986, §; as amended by Ord. 192, 4/18/2000]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000, plus costs, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

PART 2
LITTERING

§ 10-201. Unlawful to Litter Streets and Highways. [Ord. 21, 3/25/1968, § 1]

It shall be unlawful for any person to dump, throw, deposit or cause to be dumped, thrown or deposited any glass, metal, refuse, garbage, ashes, wastepaper or rubbish of any kind, either from a vehicle or otherwise, in, upon or along any public road or highway within the Township of East Rockhill.

§ 10-202. Unlawful to Litter the Land. [Ord. 21, 3/25/1968, § 2]

It shall be unlawful for any person to dump, throw, deposit or cause to be dumped, thrown or deposited any glass, metal, refuse, garbage, ashes, wastepaper or rubbish of any kind, either from a vehicle or otherwise, in or upon the land of another located in the Township of East Rockhill.

§ 10-203. Penalties. [Ord. 21, 3/25/1968, § 1; as amended by Ord. 21A, 8/14/1972; by Ord. 90, 3/19/1985, § 1; and by Ord. 192, 4/18/2000]

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000, plus costs, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.
2. Any person who provides information to the East Rockhill Township Police Department which leads directly to the citation and conviction of any person for a violation of this Part shall receive from the Township a reward of \$100 at such time as the Township receives the \$1,000 fine imposed by the District Justice for conviction under this Part.

PART 3

USE OF EXPLOSIVES AND BLASTING**§ 10-301. Compliance with All State and Federal Statutes and Regulations. [Ord. 230, 4/17/2007]**

Any person using, storing, purchasing and/or selling explosives and/or engaging in blasting activities within this Township must comply with and abide by any and all Pennsylvania and Federal statutes and regulations governing the use, storage, purchase and sale of explosives and blasting activities, including but not limited to Chapters 77, 87, 88, 210 and 211 of Title 25 of the Pennsylvania Administrative Code, as amended, and 73 P.S. § 151 et seq., as amended. All Pennsylvania and/or Federal statutes and regulations are incorporated herein by reference. All regulations relating to blasting under the International Fire Code and Uniform Construction Code are also incorporated herein by reference. In the event of an inconsistency between the aforementioned Pennsylvania and/or Federal statutes or regulations and this Part, the more stringent regulation shall apply.

§ 10-302. Definitions. [Ord. 230, 4/17/2007]

As used in this Part, the following terms shall have the meanings indicated:

AIRBLAST — An airborne shock wave resulting from an explosion, also known as "air overpressure," which may or may not be audible.

APPLICANT — For purposes of this Part, applicant shall consist of the applicant, property owner, developer, mining company, blaster and/or other individual that is proposing to use explosives on property within this Township.

BLASTING ACTIVITY — The actions associated with the use of explosives from the time of delivery of explosives to a worksite until all post-blast measures are taken, including priming, loading, stemming, wiring or connecting, detonating, and all necessary safety, notification and monitoring measures.

FLYROCK — Overburden, stone, clay or other material ejected from the blast area by the force of a blast.

PROPERTY — One parcel of property assigned one Tax Map parcel number or a group of contiguous parcels of property specifically listed in the applicant's explosives use permit application as a single blasting project.

§ 10-303. General Requirements. [Ord. 230, 4/17/2007]

1. Blasting operations shall be conducted by or under the supervision of a competent blaster licensed and operating in compliance with applicable State and Federal statutes and regulations, including but not limited to Chapter

210 of Title 25 of the Pennsylvania Administrative Code (relating to blasters' licenses). The licensed blaster shall at all times have his or her license on the work site and shall permit examination of same.

2. Blasting operations shall be conducted in compliance with all State and Federal laws and regulations, including but not limited to Chapter 211 of the Pennsylvania Administrative Code (relating to storage, handling and use of explosives), except if modified by Chapter 77, 87 or 88 of Title 25 of the Pennsylvania Code, as amended.
3. The use of explosives for the purpose of blasting in connection with mining shall comply with any and all State and Federal laws and regulations governing same, including but not limited to Chapter 77, 87 or 88 of Title 25 of the Pennsylvania Code, as amended.
4. Where blasting is permitted, explosives shall be kept on the site only in such quantity as may be needed for the work underway and only during such times as they are being used.
5. When the need for explosives has ended, all such explosive material remaining at the job site shall be promptly removed from the premises.
6. The transportation of explosives shall comply with 25 Pa. Code § 211 et seq., as amended.

§ 10-304. Licenses and permits. [Ord. 230, 4/17/2007]

1. No person shall handle or use explosive materials within East Rockhill Township unless that person:
 - A. Possesses a valid Pennsylvania State blaster's license with the proper classification or is supervised by a holder of a valid State of Pennsylvania blaster's license with the proper qualification and provides written verification of same to the Township; and
 - B. Possesses all necessary State permits and/or licenses and complies with all applicable local, State and Federal regulations, including but not limited to the requirements of this Part, and provides written verification of same to the Township.
2. No person shall handle, use or cause explosives to be detonated within East Rockhill Township without an explosives use permit issued by the Township, as hereafter set forth, to such person, his supervisor or employer. An explosives use permit shall only be valid for the property specifically identified in the application for same. An explosives use permit is valid for a single property only, as defined herein, and cannot be used for multiple properties throughout the Township. If an applicant wants to conduct blasting at different properties throughout the Township, the applicant must apply for and receive a separate permit for each property. The applicant

must apply for an explosives use permit, and said application shall include the following:

- A. Application. Applications for an explosives use permit shall be in writing upon forms provided by the Township. Applications shall be accompanied by a permit fee set forth in the Township's approved Fee Schedule. Permits shall be issued on an annual basis, commencing January 1 and ending December 31. Applications may be made by and permits issued to the blasting business, provided that the person doing the blasting or responsible for such blasting shall hold a valid Pennsylvania blaster's license with proper qualification. The applicant shall identify the licensed blasters operating under the permit and the blasting locations within the Township. All applications for reissuance and renewal of an explosives use permit shall be filed by the permittee with the Township within 60 days before the expiration date of the previous permit, along with the annual permit fee set forth in the Township's approved Fee Schedule.
- B. Certificate of insurance. Each application for an explosives use permit, as herein stated, or renewal thereof shall be accompanied by a certificate of insurance for a commercial, general liability policy, and said policy of insurance shall have limits of coverage not less than \$1,000,000 in the aggregate and \$500,000 per occurrence. East Rockhill Township shall be named as an additional insured on the applicant's policy of liability insurance. The applicant shall notify the Township, in writing, if the applicant's insurance changes during the course of a calendar year.
- C. Explosives use plan. Each application for an explosives use permit or renewal thereof shall include an explosives use plan that shall include a written description of the total area in which explosives are proposed to be used, a detailed description of the property wherein blasting is proposed, the Bucks County Tax Map parcel number and street address for the property, blasting procedures to be employed, including types of explosives-initiating systems, the reason for blasting and an aerial photograph or drawing which accurately includes all areas and inhabited buildings within 1,000 feet of all proposed blasting areas.
- D. State blasting activity permit and license. Each application for an explosives use permit or renewal thereof shall be accompanied by a valid blasting activity permit and blasting license issued by the State.
- E. Neighboring properties. Each explosives use permit application and all renewals shall include the names and addresses of all owners of property whose property line is within 1,000 feet from the property wherein blasting will occur. All owners of property adjoining the property parcel wherein an applicant is applying for an explosives use permit shall be listed within the permit application.

§ 10-305. Prevention of Damage. [Ord. 230, 4/17/2007]

1. Blasting may not damage real property except for real property under the control of the applicant. If damage occurs, the blaster in charge and/or the applicant shall notify this Township within four hours of learning of the damage.
2. Blasting may not cause flyrock. If flyrock occurs, the blaster in charge and/or the applicant shall notify this Township within four hours of learning of the flyrock.
3. Blasting shall be designed to keep all effects such as vibrations and noise to a minimum.
4. Airblasts shall be controlled so that they do not exceed the noise level specified in Chapters 77, 87, 88, 210 and 211 of Title 25 of the Pennsylvania Code, as amended, and any other applicable statutes or regulations, at a dwelling, public building, school, church or commercial or institutional structure, unless the structure is owned by the applicant and is not leased to another person. The lessee may sign a waiver relieving the operator from meeting the airblast limitations.
5. There shall be no overnight storage of explosive materials within East Rockhill Township.

§ 10-306. Pre-Blast Measures. [Ord. 230, 4/17/2007]

1. Prior to detonating a blast, the blaster in charge and/or the applicant shall:
 - A. Apply for and receive the applicable explosives use permit from the Township and pay the appropriate fee pursuant to the current Township Fee Schedule, as set forth hereinabove, and any and all other requirements of this Part and State and Federal law and regulations. Prior to receiving a permit from the Township, the applicant must provide the Township with a copy of the applicant's blasting license and approved blasting permit from the PA DEP. The applicant shall maintain a copy of the Township permit at the blasting location.
 - B. Explosives use schedule. Each applicant shall also provide the Township with a written schedule of any and all blasting activities proposed within the permitted area. This blasting schedule shall be provided to the Township, in writing, no less than five days prior to any blasts and/or explosions taking place. The explosives use schedule shall contain all information contained in a blasting schedule required by State and/or Federal law, including but not limited to the locations, dates, times, type of explosives used and purpose of the blasts. Each applicant shall also provide additional notice to the Township 24

hours prior to any blasting activities, in a manner acceptable to the Township.

- C. Provide proper written notice to all residents whose property line is within 1,000 feet of the permitted explosives use area and provide proof of such notice pursuant to 25 Pa. Code § 211.124 to this Township at the time of the submission of the explosives use schedule set forth hereinabove. Any and all notice requirements set forth in State and/or Federal law need to be satisfied by the blaster and/or applicant.
- D. Within 24 hours prior to the blast, the operator or foreman in charge of the blasting operation and/or the applicant shall notify persons whose property lines and/or structures are located within the one-thousand-foot area set forth in Subsection C above that a blast is to be detonated. Approval of the method of notification shall be obtained from this Township.
- E. Sound a warning signal in compliance with 25 Pa. Code § 211 et seq., as amended.
- F. In addition to the warning signal, notify all persons who may be in danger.
- G. Ensure that the necessary precautions are in place to protect the public on public roads.
- H. Give sufficient warning that persons approaching the blast area may be warned of the danger and be given ample time to retreat a safe distance from the blast area when a blast is about to be initiated.
- I. Erect signs at least 500 feet from the blast area reading BLAST AREA — SHUT OFF ALL TWO-WAY RADIOS when electric blasting operations are located near highways or other public ways.
- J. Place at the entrances to the permit area from public highways conspicuous signs which state "Warning; Explosives in Use" and which clearly explain the blast warning and all-clear signals that are in use.
- K. Before any blasting is carried out, the blaster and/or the applicant shall submit to the Township a copy of the blaster's State blasting license, a copy of the approved blasting activity permit from the PA DEP and a copy of the application for said permit.

§ 10-307. Detonating the Blast. [Ord. 230, 4/17/2007]

- 1. Hours of operation. Blasting shall be conducted only between 9:00 a.m. and 4:00 p.m. on Monday through Friday. No blasting shall be conducted at any other times or on Saturday, Sunday or legal holidays. In the event that an

- emergency has delayed a blast beyond 4:00 p.m. on an authorized workday, loaded holes may be blasted within a reasonable time thereafter.
2. Blasting shall be conducted in a manner to protect the public from flyrock.
 3. Notwithstanding other regulations, blasting, whether of overburden or of mineral, may not be done or performed in a manner and under circumstances or conditions that debris is ejected into the air, constituting a hazard or danger or to do harm or damage to persons or property in the area of the blasting.
 4. Blasting shall be conducted to prevent injury to persons and damage to public or private property outside the permit area and to protect, to the maximum extent possible, the hydrologic balance.

§ 10-308. Post-Blast Measures. [Ord. 230, 4/17/2007]

1. After the blaster in charge has determined the blast area is safe, the blaster in charge shall sound an all-clear signal, consistent with 25 PA. Code § 211 et seq., as amended.
2. The blaster in charge and/or the applicant shall immediately complete the blast report as required by State or Federal law and regulation, and the blaster in charge and/or the applicant shall provide a copy of the report to this Township.

§ 10-309. Penalties. [Ord. 230, 4/17/2007]

Any person who violates any provision of this Part shall pay a fine of \$500, be subject to having his/her explosives use permit suspended or revoked by the Township and shall immediately cease all blasting activities within this Township. Any Township law enforcement officer, Zoning Officer or other person designated by the Board of Supervisors of this Township may notify an individual and/or entity, in writing, that they are in violation of this Part, order the individual and/or entity in violation to cease all blasting within the Township, and issue an appropriate penalty for same. If the individual and/or entity in violation of this Part does not satisfy the monetary penalty for the violation and/or does not cease all blasting activities within the Township, the Township may enforce this Part pursuant to § 1601 of the Second Class Township Code by instituting a civil enforcement proceeding before a District Justice and/or a legal or equitable action in the Court of Common Pleas. This Part does not waive any other actions, claims or remedies available to the Township or its residents in relation to damages caused by blasting activities.

PART 4

FIREWORKS**§ 10-401. Intent. [Ord. No. 294, 9/22/2020¹]**

Fireworks, by nature, contain explosives which, when misused, can damage property and endanger human life. It is the intent of the Board of Supervisors of East Rockhill Township to protect the health, safety and welfare of the general public through limiting the use of fireworks.

§ 10-402. Definitions. [Ord. No. 294, 9/22/2020]

ACT — Fireworks Law, Act 43 of 2017, as amended.²

APA 87-1 — The American Pyrotechnics Association Standard 87-1: Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics, 2001 edition, or any subsequent edition.

CONSUMER FIREWORKS — Any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, is suitable for use by the public, complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16 CFR (relating to commercial practices) or any successor regulation and complies with the provisions for "consumer fireworks" as defined in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted throughout this commonwealth. The term "consumer fireworks" does not include devices such as "ground and hand-held sparkling devices," "novelties," or "toy caps" as defined in APA 87-1 or any successor standard.

DISPLAY FIREWORKS — Large fireworks to be used solely by professional pyrotechnicians and designed primarily to produce visible or audible effects by combustion, deflagration or detonation. The term includes, but is not limited to, salutes that contain more than two grains or 130 milligrams of explosive materials; aerial shells containing more than 60 grams of pyrotechnic compositions; and other display pieces that exceed the limits of explosive materials for classification as consumer fireworks and are classified as fireworks UN0333, UN0334 or UN0335 hazardous materials table.

OCCUPIED STRUCTURE — A structure, vehicle or place adapted for overnight accommodation of persons or for conducting business whether or not a person is actually present.

1. Editor's Note: This ordinance also repealed former Part 4, Fireworks, adopted by Ord. No. 242, 10/21/2008.

2. Editor's Note: See 72 P.S. § 9401 et seq.

§ 10-403. Restrictions on All Fireworks. [Ord. No. 294, 9/22/2020]

1. The use of fireworks, whether consumer or display, shall be strictly prohibited at any location within 200 feet of any structure, property line, vehicle or roadway unless prior written approval is received from all property owners within the 200-foot area.
2. The use of any fireworks shall be prohibited within any closed structure, building or tent.

§ 10-404. Display Fireworks. [Ord. No. 294, 9/22/2020]

1. Unlawful to Use Display Fireworks Without a Permit. It shall be unlawful for any person, persons, firms or corporations, amusement parks, fair associations or other organizations or groups of individuals, to use and/or hold public displays of display fireworks within the limits of the Township of East Rockhill, unless a permit therefor is first granted by East Rockhill Township, as hereinafter provided.
2. Compliance with State and Federal Statutes and Regulations. The applicant for a permit to display fireworks within this Township must comply with and abide by any and all Pennsylvania and federal statutes and regulations and any and all applicable county or other local regulations governing the use, storage, and display of fireworks, including but not limited to the International Fire Code and 35 P.S. § 1271 et seq., as amended. All Pennsylvania, federal, county and other local laws and regulations are incorporated herein by reference. All regulations relating to the display of fireworks under the International Fire Code and/or Uniform Construction Code are also incorporated herein by reference. In the event of an inconsistency between the aforementioned Pennsylvania, federal, county and other local laws and regulations and this Part, the more stringent regulation shall apply. The applicant must further receive any and all requisite Pennsylvania, federal, county and/or other local permits and/or licenses relating to the proposed fireworks display.
3. Competent Operator and Safe Display Location. Every such fireworks display within the limits of the Township shall be handled, arranged, managed and directly supervised by a competent operator. Every such fireworks use and display within the Township shall be of such a character and so located, discharged or fired, as not to be hazardous to property or endanger any person or persons in the opinion of the Board of Supervisors, or their duly authorized representative. The Township Fire Chief and Fire Code Official, or other such officer as may be designated by the Township, shall inspect the site where the fireworks are to be used and displayed prior to the issuance of a permit in accordance with the International Fire Code and other applicable regulations and ensure that the site and proposed fireworks display are compliant with said regulations. No permit for the use of fireworks shall be issued until the Township Fire Chief, or other such officer as may be designated by the Township, determines that the requested

permit may be granted after inspecting the location for the requested display.

4. Permit.
 - A. An application for a permit shall be made in writing to the Township at least 45 days in advance of the date of the proposed use and display, and shall set forth the proposed date, time and location of the use and display, the character and duration thereof, the name and address of the competent operator, and the name and address of the owner or owners of the grounds on which the use and display is to be held, together with the written consent of such owner or owners thereto and a copy of any permit application required by the International Fire Code. The application for the permit shall also contain copies of any and all state, federal and/or county permits and/or licenses needed for the use and display of fireworks. All applicants shall pay the Township the permit fee identified in the Township's duly enacted fee schedule resolution before the issuance of a permit and shall further provide proof of liability insurance, acceptable to the Township, and the required bond to the Township. The Township Board of Supervisors may attach conditions and/or restrictions on any permit for the use and display of fireworks as are deemed necessary.
 - B. If and after such permit is granted by the Township Board of Supervisors or an authorized designee, the possession, use and display of fireworks for the approved display shall be lawful for that purpose, date and time only. No permit granted hereunder shall be transferable.
 - C. No permit for the use and display of fireworks shall be issued to an individual under the age of 18.
5. Liability Insurance. All applicants shall submit proof of liability insurance in an amount no less than \$1,000,000, and such policy shall name the Township, its employees, and its elected and appointed officials as additional insureds. The liability insurance shall be in a form acceptable to the Township before issuance of any permit.
6. Continuance. If by reason of unfavorable weather the fireworks 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 24 hours apply to the Township, and set forth under oath the fact that such use and display was not made, the reason the use and display did not take place, and a request for a continuance of such permit for a day designated therein. The continuance date shall be no later than one week (seven days) after the day fixed originally in said permit. Upon receiving such application for a continuance, the Township, if it believes the facts stated therein are true, may extend the provisions of said permit to the day fixed in said application, no later than one week (seven days) 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, provided that the provisions of the original bond extend to and cover all damages which may be caused by reason of said use and display taking place at such extended date in the same manner and to the same extent as if such use and display had taken place at the date originally fixed in the permit.

§ 10-405. Consumer Fireworks. [Ord. No. 294, 9/22/2020]

1. A person who is at least 18 years of age and meets the requirements of this Part may purchase, possess, and use consumer fireworks.
2. A person may not intentionally ignite or discharge:
 - A. Consumer fireworks on public or private property without the express permission of the owner.
 - B. Consumer fireworks or sparkling devices within, or throw consumer fireworks or sparkling devices from, a motor vehicle or building.
 - C. Consumer fireworks or sparkling devices into or at a motor vehicle or building or at another person.
 - D. Consumer fireworks or sparkling devices while the person is under the influence of alcohol, a controlled substance, or another drug.
 - E. Consumer fireworks within 200 feet of an occupied structure.
 - F. Consumer fireworks more than one day per week.
 - G. Consumer fireworks after 10:00 p.m., except on the 4th of July or New Year's Eve.

§ 10-406. Sale of Consumer Fireworks. [Ord. No. 294, 9/22/2020]

1. Consumer fireworks shall only be sold from facilities which are licensed by the Department of Agriculture and which meet the locational, operational, storage and safety requirements of the Act.³
2. Consumer fireworks may be sold from a temporary structure which meets the licensing requirements of the Department of Agriculture, the Township Zoning Ordinance and the Act. Sales of consumer fireworks from a temporary structure is limited to the following:
 - A. Helicopter, aerial spinner (APA 87-1, 3.1.2.3).
 - B. Roman candle (APA 87-1, 3.1.2.4).

3. Editor's Note: See 72 P.S. § 9401 et seq.

- C. Mine and shell devices not exceeding 500 grams.

§ 10-407. Agricultural Purposes. [Ord. No. 294, 9/22/2020]

1. Authorization. The Township may, under reasonable rules and regulations adopted by it, grant permits for the use of suitable fireworks for agricultural purposes in connection with the raising of crops and the protection of crops from bird and animal damage.
2. Duration of Permit. A permit under this section shall remain in effect for the calendar year in which it was issued.
3. Conditions. After a permit under this section has been granted, sales, possession and use of fireworks of the type and for the purpose mentioned in the permit shall be lawful for that purpose only.

§ 10-408. Violation or Public Safety. [Ord. No. 294, 9/22/2020]

In the event of any violation of this Part or of the terms, conditions or limitations noted on a permit for the display of fireworks, 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 Township, the Pennsylvania State Police, Pennridge Regional Police, Township Fire Chief or the appropriate Township designee, or any other authorized Township 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.

§ 10-409. Penalty. [Ord. No. 294, 9/22/2020]

1. Any person, individual, partnership, co-partnership, association or corporation violating the provisions of this act with respect to the use of consumer or display fireworks shall be guilty of a summary offense, and upon conviction thereof, shall be punished by a fine not exceeding \$600 or by imprisonment not exceeding 90 days or by both such fine and imprisonment.
2. Any person, individual, partnership, co-partnership, association or corporation who violates any provision of this chapter shall be ineligible to obtain a permit under this section for a period of three years from the date of violation.

