

CHAPTER 97: FIREWORKS

Section

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§ 97.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONSUMER FIREWORKS. A small firework that is designed primarily to produce visible or audible effects by combustion, and that is required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR 1507. The term also includes some small devices designed to produce an audible effect, such as whistling devices, ground devices containing 50 milligrams or less of explosive composition, and aerial devices containing 130 milligrams or less of explosive composition. Propelling and expelling charges consisting of a mixture of charcoal, sulfur, and potassium nitrate are not considered to be designed to produce an audible effect. Consumer fireworks include:

- (1) Aerial devices, which include, but are not limited to, sky rockets, missile type rockets, helicopter and aerial spinners, roman candles, mines, and shells;
- (2) Ground audible devices, which include, but are not limited to, firecrackers, salutes and chasers; and
- (3) Firework devices containing combinations of the effects described in divisions (1) and (2).
- (4) Consumer fireworks do not include the following fireworks as referenced in I.C. 22-11-4-8(a):
 - (a) Dipped sticks or wire sparklers. However, the total pyrotechnic composition may not exceed 100 grams per item; and, devices containing chlorate or per chlorate salts may not exceed five grams per item;

- (b) Cylindrical fountains;
- (c) Cone fountains;
- (d) Illuminating torches;
- (e) Wheels;
- (f) Ground spinners;
- (g) Flitter sparklers;
- (h) Snakes or glows worms;
- (i) Smoke devices; and
- (j) Trick noisemakers that include party poppers, booby traps, snappers, trick matches, cigarette loads and auto burglar alarms.
(Ord. 763, passed 8-6-07)

§ 97.02 USE OF CONSUMER FIREWORKS.

No person within the county, and outside the corporate limits of any municipality, shall use, ignite, or discharge or permit to be used, ignited, or discharges any type of consumer fireworks on any day of time other than the following:

(A) Between 5:00 p.m. and two hours after sunset on June 29 through 30, July 1 through 3, July 5 through 9.

(B) Between 10:00 a.m. and midnight on July 4.

(C) Between 10:00 a.m. on December 31 and 1:00 a.m. on January 1.
(Ord. 763, passed 8-6-07)

§ 97.03 ENFORCEMENT.

The Sheriff's Department shall be charged with enforcing the provisions of this chapter.
(Ord. 763, passed 8-6-07)

§ 97.99 PENALTY.

Any person, firm, or corporation violating the terms of this chapter commits a Class C infraction and shall be fined in an amount of \$100 for each violation. Violations of this chapter shall be prosecuted through the County Courts.

(Ord. 763, passed 8-6-07)