

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 17

Bill No. 82-15

Mr. Wade Kach, Councilman

By the County Council, October 19, 2015

A BILL
ENTITLED

AN ACT concerning

Fireworks

FOR the purpose of requiring notice to certain property owners within a certain distance of the location of a planned fireworks display; increasing the penalties; and generally relating to fireworks.

BY repealing and re-enacting, with amendments
Section 14-2-203
Article 14 - Fire Protection
Title 2 - Fire Prevention Code, Rules, and Regulations
Subtitle 2 - Alarms and Smoke Detectors
Baltimore County Code, 2003

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

ARTICLE 14. FIRE PREVENTION

TITLE 2. FIRE PREVENTION CODE, RULES, AND REGULATIONS

Subtitle 2. Alarms and Smoke Detectors

§ 14-2-203. LIMITATIONS ON FIREWORKS AND PYROTECHNICS DISCHARGES.

(a) *Definitions.*

(1) In this section the following words have the meanings indicated.

(2) (i) “Fireworks” means a substance or combination of substances that are prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation.

(ii) “Fireworks” includes firecrackers, squibs, and rockets.

(3) (i) “Pyrotechnics” means any device used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation.

(ii) “Pyrotechnics” includes all devices regulated under the

NFPA 1126 standard for the use of pyrotechnics before a proximate audience.

(b) *Number of times.* Subject to subsection (D)[(c)] of this section, in addition to the limitations on displaying fireworks imposed by state law, a person may not discharge fireworks in the county:

(1) More than three times in 1 year;

(2) After 11:00 p.m.; and

(3) At a location in the county where fireworks have been previously discharged three times during the same year.

(C) NOTICE.

(1) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION, A PERSON MAY NOT DISCHARGE FIREWORKS IN THE COUNTY WITHOUT FIRST GIVING NOTICE TO EACH PROPERTY OWNER WHOSE NEAREST PROPERTY LINE IS WITHIN 1,500 FEET OF THE ~~LOCATION~~ PROPERTY LINE OF THE PLANNED FIREWORKS DISPLAY VIA

CERTIFIED MAIL AT LEAST 21 DAYS PRIOR TO THE PLANNED FIREWORKS DISPLAY.

(2) THE NOTICE SHALL CONTAIN THE FOLLOWING INFORMATION:

(I) THE LOCATION OF THE PLANNED FIREWORKS DISPLAY;

(II) THE DATE AND TIME; AND

(III) THE ESTIMATED DURATION.

(D)[(c)] *Exceptions.*

(1) If a fireworks display otherwise authorized under subsection (b)(1) of this section is rained out, the display may be held on either of the following 2 days.

(2) The limitations in subsection (b) of this section do not apply to a person who discharges fireworks on county-owned property with the permission of the county and state as required in county law and state law.

(3) THE NOTICE REQUIREMENTS IN SUBSECTION (C) OF THIS SECTION DO NOT APPLY TO A FIREWORKS DISPLAY AUTHORIZED IN WHICH A PERMIT IS ISSUED UNDER COUNTY AND STATE LAW THAT IS OPEN TO ATTENDANCE BY THE GENERAL PUBLIC.

(E)[(d)] *Pyrotechnics.* A person may not use pyrotechnics before a proximate audience in a building that is not equipped with an approved automatic sprinkler system.

(F)[(e)] *Penalty.* In addition to any other enforcement authorized under this title, a person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$250[\$100] FOR A FIRST VIOLATION, AND A FINE NOT EXCEEDING \$1,000 FOR A SECOND OR SUBSEQUENT VIOLATION.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five (45) days after its enactment.

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