

TOWN OF NEW IPSWICH

661 Turnpike Rd New Ipswich NH 03071

Board of Selectmen



Town Ordinance: 15-00003

PERMISSIBLE FIREWORKS ORDINANCE

Use, Discharge and Possession of NH Permissible (Consumer) Fireworks

Any person wishing to discharge NH Permissible (Consumer) Fireworks shall obtain a written fireworks permit from the Fire Chief or his authorized designee. A permit **shall** be obtained before any discharge of permissible fireworks is to occur.

Procedure to obtain a permit:

1. The applicant shall appear in person before the Fire Chief, or his authorized designee, 14 days prior to the anticipated date of display. The permit shall be approved by the Chief of Police, or his authorized designee, and a New Ipswich Board of Selectmen member, or his authorized designee.
2. The applicant shall provide proof that he/she has the landowner's written permission.
3. The applicant shall provide a valid photo identification, which also identifies the applicant's address and date of birth.
4. The applicant shall be at least 21 years of age or older (NH RSA 160-C:11).
5. Fireworks shall be purchased from licensed Permissible Fireworks retailers in New Hampshire only (copy of receipt required for permit).
6. The applicant shall only purchase the quantity of fireworks needed for the permitted display. Storage of Permissible Fireworks is prohibited.
7. Fireworks shall not be ignited or possessed by minors (anyone under the age of 21).
8. Fireworks shall be ignited a minimum of 50 feet from any structure, overhead utilities, woodlands, property lines or boundaries.
9. The applicant is required to have a means of fire extinguishment readily accessible.
10. The permit shall be valid only for the date it is issued.
11. Anyone discharging or igniting fireworks shall not be under the influence of any drugs or alcohol.

12. Permissible Fireworks shall only be discharged or used between the hours of 5:00 p.m. and 10:00 p.m. unless authorized with a Noise Ordinance Waiver.
13. This permit may be invalidated if weather conditions are deemed not suitable for public safety reasons by the New Ipswich Fire Chief. This permit is conditional on the fire danger index for that time period. If the fire danger is class 4, 5 or high winds, the permit is SUSPENDED. **Applicants shall contact the Fire Warden or Deputy for the current conditions prior to the display (878-1364).**
14. Permissible Fireworks permit does NOT cover the discharging of cannons. A separate authorization is required/issued by the New Ipswich Police Chief or his designee.
15. A permit fee of \$15.00 shall be paid to the "Town of New Ipswich" at the time the permit requested is submitted (cash or check).

Enforcement:

1. The Fire Chief and, or his authorized designee, reserves the right to inspect the permitted location and fireworks to be discharged at any time during the period for which the permit is issued. Failure to allow such an inspection shall result in the immediate revocation of the permit.
2. Failure to comply with any provision of this ordinance shall result in:
 - a) First Offense: Written warning, and, or revocation of permit.
 - b) Second Offense: \$250.00 fine and revocation of permit.
 - c) Third Offense: \$500.00 fine and revocation of permit. Persons violating this Ordinance for a third time will be prohibited from any further Permissible Fireworks permits.
3. All fines shall be paid to the Town of New Ipswich.
4. Any complaint received by the Town of New Ipswich as the result of an issued permit shall be grounds for the revocation of the issued permit following an investigation conducted by any enforcement authority.
5. The applicant shall be responsible for reimbursing the Town of New Ipswich for all costs associated with the mitigation of any fire, or other emergency which is the result of the applicant's use of fireworks.
6. Any sworn law enforcement officer of the town, county or state, as well as the Fire Chief and his/her designee shall be empowered to enforce this Ordinance.
7. Persons found in possession of, or discharging Non-Permissible Fireworks shall be subject to the penalties outlined in NH RSA 160-B. This section shall not apply to those individuals that hold valid Certificates of Competency issued by the NH Department of Safety and hold a valid Display Fireworks Permit issued in accordance with RSA 160-B and Saf-C 5000, or any other Ordinance. Nothing in this Ordinance shall preclude any sworn police officer from enforcing any section of NH RSA 160-B, or NH RSA 160-C.

8. Is it the responsibility of those persons who are issued Permissible Fireworks Permits to notify their neighbors at the time of submitting their application, for said permit, or at least two weeks prior to the date of display.

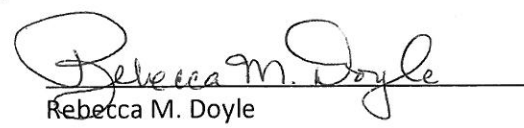
NH RSA 160-C:6 Local Option. – Any municipality in the state, by action of its local legislative body or local government body, may vote to allow or to prohibit, within that municipality, the issuance of permits or licenses to sell permissible fireworks or the display or possession of permissible fireworks. If the municipality has voted to prohibit the issuance of permits or licenses or the display or possession of permissible fireworks prior to the effective date of this section, such decision shall remain in effect unless subsequent action is taken under this section.

Source: 1999, 348:14, eff. Jan. 21, 2000

Dated: June 16, 2015

BOARD OF SELECTMEN


George H. Lawrence, Chairman


Rebecca M. Doyle

Woody Meiszner