

**TOWN OF ANSON
CONSUMER FIREWORKS ORDINANCE**

SECTION I: Purpose

This Ordinance regulates the use of consumer fireworks to ensure the safety of the residents and property owners of the Town of Anson and of the general public.

SECTION II: Title and Authority

This Ordinance shall be known as the “Town of Anson Consumer Fireworks Ordinance”. It is adopted pursuant to the enabling provisions of the Maine Constitution, the provisions of 30-A M.R.S.A. § 3001, and the provisions of 8 M.R.S.A. § 223-A.

SECTION III: Definitions

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Consumer Fireworks – “Consumer fireworks” has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-party testing laboratory as conforming with United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. “Consumer fireworks” does not include the following products which are illegal to use or possess in the State of Maine:

- A. Missile-type rockets, as defined by the State Fire Marshal by rule;
- B. Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and
- C. Sky rockets and bottle rockets. For purposes of this definition, “sky rockets and bottle rockets” means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.

Public Property: Any property that is owned by the Town of Anson, or is open for use to the general public.

Public Way: Any road, sidewalk or other area, designated for the flow of vehicular or foot traffic.

SECTION IV: Use of Consumer Fireworks Restricted

- A. Use of consumer fireworks is prohibited within 75 feet of any structure or within 50 feet of overhead power lines.

- B. Use of consumer fireworks is prohibited on any public way or public property; unless written permission is granted for said use by the Town of Anson Board of Selectmen and/or the person(s) who control said public property.
- C. Use of consumer fireworks is prohibited at any time when the forest fire danger is greater than a Class 3 as established by the Maine Forest Service. It is the responsibility of the user of consumer fireworks to confirm the fire danger level on the day of use.
- D. It shall be unlawful for any person or firm to use or display consumer fireworks without providing for the cleanup and removal of all debris.

SECTION V: Violation and Enforcement

- A. PENALTY FOR VIOLATION: Any person who violates the provisions of this Ordinance shall commit a civil violation punishable by a penalty of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) plus attorney's fees and costs to be recovered by the Town of Anson for its use. Each day such violation occurs or continues to occur shall constitute a separate violation.
- B. ENFORCEMENT: This Ordinance shall be enforced by the Somerset County Sheriff's Department and/or the Maine State Police.

SECTION VI: Severability

In the event that any section, subsection or portion of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance.

Attest: A True Copy
Town of Anson, Consumer Fireworks Ordinance
Adopted March 2, 2013



Carol Ryan, Town Clerk