

**PINE GROVE TOWNSHIP, WARREN COUNTY,
PENNSYLVANIA**

ORDINANCE NO. 8-8-2018

**AN ORDINANCE REGULATING PUBLIC DISPLAYS
OF FIREWORKS IN PINE GROVE TOWNSHIP,
WARREN COUNTY, PENNSYLVANIA**

AND NOW, this 8TH day of August, 2018, the Supervisors of Pine Grove Township, Warren County, Pennsylvania, do hereby enact and ordain as follows:

SECTION 1: In the interest of health, safety and welfare of the inhabitants of Pine Grove Township, no person shall discharge, display, use or sell fireworks within the limits of the Township of Pine Grove (hereinafter the "Township") unless or until such person has made application for and received a permit in the manner hereinafter described. Such permit shall be granted when the person applying for such permit, files an application at the Township Office in compliance with the provisions of this Article.

SECTION 2: "Fireworks" means any composition or device for the purpose of producing visible or audible effects by combustion, deflagration or detonation for amusement.

SECTION 3: Fireworks permits shall only be granted upon the following express provisions:

- A. A written application shall be filed at the Township Office, signed by the applicant at least fifteen (15) days prior to the display date, providing the following information:
1. Name and address of organization sponsoring fireworks display or use;
 2. Name(s) of the person who will be in charge of the fireworks display or use;
 3. Date and time of intended display or use;
 4. Exact location planned for fireworks display or use;
 5. Number and kinds of fireworks to be discharged;
 6. Location of stored fireworks prior to display or use; and
 7. Location of the discharge point of the fireworks, of all buildings, highways and other lines of communication, the lines behind which any audience will be restrained, and the location of any nearby trees or utility lines or other overhead obstructions.

- B. Every display shall be handled by a competent operator, and which display shall be of such character and so located, discharged or fired, as in the opinion of the Board of Supervisors, or their duly authorized representative and after proper inspection, shall not be hazardous to property or endanger any person or persons.
- C. Applicant shall sign a Hold Harmless Agreement prepared by the Township to save the Township, its officers, employees and agents from any and all costs, damages and liabilities which may accrue by reason of applicant's discharge, display or use of fireworks.
- D. Applicant shall provide the Township with a Certificate of Insurance with the limits described on the Permit Application.
- E. Applicant shall provide the Township with a copy of the License issued by the State of Pennsylvania and (if for profit) a copy of Registration with the Attorney General's Office.
- F. Applicant must arrange for the Russell Volunteer Fire Department to be present when the displays are set off for safety reasons.
- G. Applicants shall pay the Township the sum of Fifty Dollars (\$50.00) before issuance of a permit.
- H. A single permit may allow up to four (4) display events within a thirty (30) day period beginning with the date of permit and the events must be listed on the Application.

SECTION 4: If by reason of unfavorable weather the 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 twenty-four (24) hours apply to the Board of Supervisors having granted the same, setting forth under oath the fact that such display was not made, giving the reason therefor, and requesting a continuance of such permit for a day designated therein, not later than one (1) week after the day fixed originally in said permit. Upon receiving such application for a continuance the Board of Supervisors, if it believes the facts stated therein are true, may extend the provisions of said permit to the day fixed in said application, not later than one (1) week after the original day designated in the permit, and such extension of time shall be granted without the payment of any additional fees using all information given on the original permit.

SECTION 5: Any persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) or by imprisonment not exceeding ninety (90) days or by both such fine and imprisonment.

SECTION 6: This Ordinance shall become effective five (5) days after the date of its adoption.

IN WITNESS WHEREOF, the Supervisors of Pine Grove Township have adopted and enacted this Ordinance the day and year first above written.

PINE GROVE TOWNSHIP SUPERVISORS

ATTEST: (seal)

Julie Parmenter
Secretary

By Chad R. Mann

By John P. Shuler

By Carol J. Dennis

HOLD HARMLESS AGREEMENT

The property owner(s), tenant(s) and contractor(s) agree to release, indemnify and hold harmless Pine Grove Township and its agents from and against any loss, damage or liability, including attorney's fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives, arising out of or in any manner relating to the manufacture, transportation, installation, firing or disassembly of any pyrotechnics equipment or device and/or the supervision and presentation thereof, including any claim or loss arising from any activity relating to Fireworks Permit No.: _____.

By: _____
(Property Owner) (Address) (Date)

Sworn to and subscribed before me this
_____ day of _____, 20__.

Notary Public

By: _____
(Tenant) (Address) (Date)

Sworn to and subscribed before me this
_____ day of _____, 20__.

Notary Public

By: _____
(Pyrotechnics Contractor) (Address) (Date)

Sworn to and subscribed before me this
_____ day of _____, 20__.

Notary Public

FIREWORKS APPLICATION

Permit No.: _____

Date of Application: _____

Name, address and phone number of Applicant: _____

Name, address and phone number of Property Owner: _____

Name, address and phone number of Pyrotechnics Contractor: _____

Name, address and phone number of Person in Charge of above Fireworks: _____

Date(s), time and location of Fireworks Display:

#1 _____

#2 _____

#3 _____

#4 _____

Location of any Fireworks stored within Pine Grove Township: _____

Contact person with Fire Co. whom you notified with above information: _____

1. Attach Certificate of Insurance showing (at a minimum) the following limits:

Workers Compensation/Employers Liability	\$ 500,000.00
General Liability	\$1,000,000.00
Intrastate Transportation Liability (or DOT's requirement)	\$5,000,000.00
Umbrella Liability	\$1,000,000.00

(If no Umbrella Liability is carried, then adding Pine Grove Township as an additional Insured in the General Liability will suffice.)
2. Attach a copy of License issued by the State of Pennsylvania and a copy of Registration with the Attorney General's Office showing expiration date.
3. Attach a copy of Explosives sales permit showing expiration date.
4. A list of the number and kinds of fireworks to be discharged.

Signature

of Applicant: _____

Date: _____

Permit Issued By: _____

Date: _____