

**TOWN OF WEST PELZER**

**ORDINANCE #2017-1113A**

**ORDINANCE TO REGULATE THE DISCHARGE OF FIREWORKS**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF  
WEST PELZER, SOUTH CAROLINA:**

PURPOSE: To regulate the discharge of fireworks within corporate limits of the Town of West Pelzer, for the benefit of the health, safety and general welfare of all persons within the corporate limits of the Town of West Pelzer.

**SECTION 1: GENERAL**

(a) The terms "fireworks" and "consumer fireworks" shall have the same meaning within the terms of this ordinance.

(b) The possession, storage, sale, distribution, ignition, detonation and/or discharge of fireworks shall be subject to, and conducted in a manner consistent with, this ordinance and state law.

**SECTION 2. CONSUMER FIREWORKS, REGULATIONS, PROHIBITED ACTIONS, AND EXCEPTIONS**

(a) Any person or business entity which discharges or otherwise uses any consumer fireworks within the corporate limits of the Town of West Pelzer shall comply with the following requirements:

(1) No person discharging any fireworks shall be under the influence of any alcohol, or any controlled substance, or any combination thereof; and

(2) Any person discharging any fireworks shall be at least 18 years of age or older, and if not at least 18 years of age or older, shall be under the direct "sight and sound" supervision of a parent, legal guardian or other adult person responsible for the care and custody of said minor child; and

(3) No person or business entity shall discharge fireworks during conditions which are determined to be high risk conditions for danger of fire as determined by the West Pelzer Fire Department, the Anderson County Fire Marshall or the State Fire Marshall; and

(4) No person or business entity shall discharge fireworks except between the hours of 11:00 AM and 11:00 PM on Memorial Day, Independence Day and Labor Day and between the hours of 11:00 AM on December 31<sup>st</sup> and 1:00 AM on January 1<sup>st</sup>; and

(b) None of the provisions of this ordinance shall be applicable to the discharge of fireworks in any event sponsored by the Town of West Pelzer.

**SECTION 3. ENFORCEMENT**

(a) The provisions of this ordinance shall be enforceable by the Police Chief of the Town of West Pelzer, and/or his designee.

(b) Any violation of this ordinance shall be a misdemeanor punishable, upon conviction, by a fine not exceeding Five Hundred Dollars (\$500.00) or imprisonment not exceeding thirty (30) days, or both, per offense. Each violation of the provisions of this ordinance shall constitute a separate violation punishable in accordance with the terms herein. Any violation of this ordinance shall be tried in municipal court.

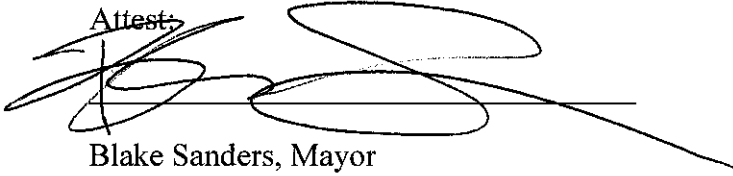
ALL ORDINANCES WHICH CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED.

THIS ORDINANCE SHALL BECOME EFFECTIVE AS OF THE DATE OF THE SECOND READING AND FINAL ADOPTION HEREOF.

First Reading Date: 11-13-17

Second Reading Date: 12-11-17

Attest:



Blake Sanders, Mayor



Paula Payton, Town Clerk