

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2016-52

No. 450 AN ORDINANCE IN AMENDMENT OF CHAPTER 9, "FIRE PREVENTION AND PROTECTION," ARTICLE III, "EXPLOSIVES AND INFLAMMABLES," TO ADD SECTION 9-80, ENTITLED: "PROHIBITION ON SALE AND USE OF FIREWORKS"

EFFECTIVE December 12, 2016

Be it ordained by the City of Providence:

SECTION 1. In accordance with Rhode Island General Laws § 23-28.1-2(b)(3), and in order to protect persons from the fire and safety hazards posed by fireworks, the Code of Ordinances of the City of Providence, Article III of Chapter 9, is hereby amended to add the following:

Sec. 9-80. Definitions.

Fireworks means any of the following: (i) consumer fireworks, as they are defined in American Pyrotechnics Association Standard (APA) 87-1 2001 Edition section 2.7.1; and (ii) ground based and hand held sparkling devices (non-aerial fireworks) as defined in APA 87-1 2001 Edition section 3.1.1 and 3.5, including fountains, illuminating torches, wheels, ground spinners, flitter sparklers, sparkers; novelties, which are defined in the APA 87-1 2001 Edition section 3.2 and include party poppers, snappers, toy smoke devices, snakes, glow worms, wire sparklers, and dipped sticks; paper caps containing not more than twenty-five hundredth (0.025) grains of explosive mixture ammunition to be consumed by weapons used for sporting and hunting purposes; and model rockets and model rocket engines designed, sold, and used for the purpose of propelling recoverable aero models. For purposes of this section, fireworks does not mean commercial fireworks or pyrotechnics, as those terms are defined by Rhode Island General Laws § 23-28.1-2 and § 23-28.11-3.

Vendor means any business, person, or entity engaged in the sale or distribution of fireworks within the City of Providence.

Sec. 9-81. Prohibition on Sale and Use of Fireworks.

No person shall sell, offer for sale, use or explode, or display or cause to be exploded for exhibition or amusement, fireworks without first obtaining a permit pursuant to Section 9-82.

Sec. 9-82. Permits.

(a) *Vendor Permit.* A vendor shall apply for a Providence Fireworks Vendor Permit pursuant to this section. The fee to obtain a Providence Fireworks Vendor Permit shall be fifty dollars (\$50.00). An application for a Providence Fireworks Vendor Permit shall be submitted in writing to the office of the Board of Licenses and shall include the name of the applicant, the name of the applicant's business, and the location of where the fireworks will be sold. A vendor must submit a separate application for each location where fireworks will be sold. A vendor permit is valid for one year.

(b) *User Permit.* Any person who wishes to use or explode, or display or cause to be exploded for exhibition or amusement, fireworks, shall apply for a Providence Fireworks User Permit pursuant to this section. The fee to obtain a Providence Fireworks User Permit shall be twenty-five dollars (\$25.00). An application for a Providence Fireworks User Permit shall be submitted in writing to the office of the Board of Licenses, include the name of the applicant and include all locations where the fireworks will be used. A user permit is valid for twenty four (24) hours.

Sec. 9-83. Violations.

Anyone found to be in violation of the provisions of this section relating to the selling or offering for sale of fireworks shall be subject to a civil fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Anyone found to be in violation of the provisions of this chapter relating to use or exploding, or displaying or causing to be exploded for exhibition or amusement, of fireworks shall be subject to a civil fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

Sec. 9-84. Enforcement.

The authority to enforce this ordinance is vested in the Providence Police Department.

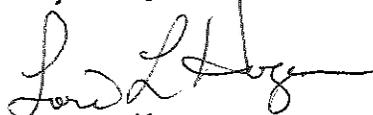
SECTION 2. This section shall take effect upon passage and approval the City of Providence and by the Rhode Island Fire Safety Code Board of Appeal and Review.

IN CITY COUNCIL
NOV 17 2016

FIRST READING
READ AND PASSED

 CLERK

Effective without the
Mayor's Signature


Lori L. Hagen
City Clerk

IN CITY
COUNCIL

DEC 01 2016
FINAL READING
READ AND PASSED


PRESIDENT

CLERK