CONSUMER FIREWORKS ORDINANCE

This ordinance governs the discharge and possession of Fireworks in the Town of East Millinocket, Maine. Other restrictions in regard to the use and sale of fireworks shall be governed by current Maine Law.

(Title 8 M.R.S.A. Section 223-A and as amended)

Section A: Definitions

"Fireworks" means any:

A. Combustible or explosive composition or substance;
B. Combination of explosive compositions or substances;
C. Other article that was prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including blank cartridges or toy cannons in which explosives are used, the type of balloon that requires fire underneath to propel it, firecrackers, torpedoes, skyrockets, roman candles, bombs, rockets, wheels, colored fires, fountains, mines, serpents and other fireworks of like construction;
D. Fireworks containing any explosive or flammable compound; or
E. Tablets or other device containing any explosive substance or flammable compound.

The term "fireworks" does not include toy pistols, toy canes, toy guns, or other devices in which paper caps or plastic caps containing 25/100 grains or less of explosive compound are used if they are constructed so that the hand cannot come in contact with the cap when in place for the explosion, toy pistol paper caps or plastic caps that contain less than 20/100 grains of explosive mixture, sparklers, antique or replica cannons if no projectile is fired.

Section B: Requirements

Fireworks are only permitted to be ignited on property owned by the individuals igniting the fireworks; or with specific written permission from the owner of the property. Fireworks are not permitted to be ignited on any property owned and controlled by the Town of East Millinocket with the exception of Town sponsored events such as Summerfest. Fireworks are not permitted to be ignited on any property owned and controlled by the State of Maine or any other public entity.

Fireworks shall not be ignited within 100 feet of an adjacent property.

Fireworks shall not be ignited by any person under the influence of alcohol or drugs. Any fireworks user found to be impaired by the consumption of alcohol and/or use of drugs shall be in violation of this ordinance.
Fireworks are not to be ignited under any conditions if the posted fire danger is greater than Class II. The use of fireworks is strictly prohibited on Class III, IV, and V fire danger days or at times when a red flag fire warning has been issued by the State of Maine Forest Service (Phone: 800-750-9777 or website www.maine.gov/dacf/mfs/index.shtml).

Any individual who ignites fireworks and the property owner where the fireworks are ignited are responsible for any property damage caused by the fireworks. All firework users are required to have a means of fire extinguishment readily accessible; including, but not limited to, a garden hose or fire extinguisher.

Section C: Permissible Dates

Fireworks may be discharged as follows:

- July 4th – 9 AM to July 5th 12:30 AM
- December 31st – 9 AM to January 1st 12:30 AM
- January 1st – 9 AM to 6 PM
- June 28th to July 3rd – 9 AM to 10 PM
- July 5th to July 11th – 9 AM to 10 PM
- Summerfest Weekend - 9 AM to 12 PM

Section D: Special Permits

A resident property owner (renter may provide owner’s signed permit application) may obtain a special permit at the Town Office during regular business hours to ignite fireworks on weekends (Friday, 5 PM – Sunday 5 PM) as allowed by State law. Permits are issued for special nonrecurring one day events and are limited to no more than a four (4) hour time block.

Section E: Violations and Enforcement

Failure to comply with any provision set forth in this ordinance shall result in:

1. First Offense: Written warning
2. Second Offense: $200 fine
3. Each Additional Offense: $400 fine

All fines shall be paid to the Town of East Millinocket and deposited into the general fund account.
TOWN OF EAST MILLINOCKET
53 MAIN STREET, EAST MILLINOCKET, ME 04430

FIREWORKS PERMIT

Date: ____________________

Property Owner Signature: ________________________________

Address: ________________________________

Phone number: ________________________________

Permit Valid From: ________________________________

Hours of Permit: ________________________________

cc: Applicant
    Town Office
    Police Department
    Fire Department