

ARTICLE 27

THE BOCA BASIC/NATIONAL FIRE PREVENTION CODE/1984 FIREWORKS

SECTION F-2700.0 GENERAL

F-2700.1 **Scope:** The manufacture of fireworks is prohibited within the jurisdiction. The display, sale or discharge of fireworks shall comply with the requirements of this article.

F-2700.2 **Permit required:** A permit shall be obtained from the fire official for the display, sale or discharge of fireworks.

F-2700.3 **Permit applications:** Application for permits shall be made in writing at least 15 days in advance of the date of the display or discharge of fireworks. The sale, possession, use and distribution of fireworks for such display shall be lawful under the terms and conditions approved with the permit and for that purpose only. A permit granted hereunder shall not be transferable, nor shall any such permit be extended beyond the dates set out therein.

F-2700.4 **Definition:** Fireworks shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, dago bombs, sparklers or other devices of like construction and any device containing any explosive or flammable compound, or any tablets or other devices containing any explosive substance, except that the term "fireworks" shall not include auto flares, paper caps containing not in excess of an average of .25 grain (16.2 mg) of explosive content per cap, and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times.

SECTION F-2701.0 SALE AND DISCHARGE

F-2701.1 **General:** It shall be a violation of this code for any person to store, to offer for sale, expose for sale, sell at retail, or use or explode any fireworks, except as provided in the rules and regulations issued by the fire official for the granting of permits for supervised public displays of fireworks by the jurisdiction, fair associations, amusement parks and other organizations. Every such display shall be handled by a competent operator approved by the fire official. The fireworks shall be arranged, located, discharged or fired in a manner that, in the opinion of the fire official, will not be a hazard to property or endanger any person.

F-2701.2 **Bond for display:** The permittee shall furnish a bond in an amount deemed adequate by the fire official for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, the permittee's agents, employees or subcontractors.

F-2701.2.1 **Disposal of unfired fireworks:** Unfired fireworks and trash that remain after the display is concluded shall be immediately disposed of in a safe manner approved by the fire official.

F-2701.3 **Exceptions:** Nothing in this article shall be construed to prohibit any resident wholesaler, dealer or jobber to sell at wholesale such fireworks as are not herein prohibited, or the sale of any kind of fireworks provided the same are to be shipped directly out of state, or the use of fireworks by railroads or other transportation agencies for signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletic or sports, or for use by military organizations. Such wholesalers, dealers and jobbers shall store their supplies of fireworks in accordance with Section F-2603.0.

F-2701.4 **Seizure of fireworks:** The fire official shall seize, take, remove or cause to be removed at the expense of the owner, all stocks of fireworks offered or exposed for display or sale, stored or held in violation of this article.