



Administrative Policy
FIREWORKS SALES SIGNAGE
Public Safety – A703

Approved by Council:

September 2010

Revised Date:

Fireworks Sales Signage

Summary

During the Second Regular Session of the 49th Arizona State Legislature 2010, the Legislature approved and the Governor signed House Bill 2246 into law allowing the sale of consumer fireworks within the State. Although the sales of consumer fireworks cannot be prohibited, a provision of the statute allows towns, cities and counties to regulate the use of consumer fireworks within their jurisdictions under certain guidelines. This policy applies to signage required at the point of sales of consumer fireworks to inform potential buyers of the prohibition of the use of fireworks within the Town of Payson.

Definitions

The following words, terms and phrases, when used in this policy, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Consumer Fireworks - fireworks defined by Arizona Revised Statutes Section 36-1601.

Display Fireworks - fireworks defined by Arizona Revised Statutes Section 36-1601.

Fireworks - any combustible or explosive composition, substance or combination of substances, or any article prepared for the purpose of producing a visible or audible effect by combustion, deflagration or detonation that is a consumer firework, display firework or permissible consumer firework as defined by Arizona Revised Statutes Section 36-1601.

Novelty Items - federally deregulated novelty items that are known as snappers, snap caps, party poppers, glow worms, snakes, toy smoke devices, non-ignition sparklers and certain toys as defined by Arizona Revised Statute Section 36-1601.

Permissible Consumer Fireworks - those fireworks as defined by Arizona Revised Statute Section 36-1601 that may be sold within the Town of Payson even where the use of those has been prohibited.

Supervised Public Display - monitored performance of display fireworks open to the public, not sponsored by the Town, and authorized by permit of the Fire Chief.

Town Sponsored Display - performance of display fireworks open to the public and paid for in whole, or in part, by the Town of Payson.



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POSTING OF SIGNS BY PERSONS ENGAGED IN THE SALE OF FIREWORKS.

(1) Prior to the sale of Permissible Consumer Fireworks, every person engaged in such sales shall prominently display signs indicating the following:

- A. The use of fireworks within the Town of Payson, except Novelty Items as defined by Town Code Section 130.39, is prohibited.
- B. Consumer Fireworks authorized for sale under state law may not be sold to persons under the age of 16.

(2) Signs required under this subsection shall be placed at each cash register and in each area where fireworks are displayed for sale.

(3) An 11inch by 17 inch sign on a white background with a red border and red lettering shall be posted and visible at all times that Permissible Consumer Fireworks are available for sale to the public. This administrative policy and a copy of the model sign is posted on the Town's website and filed with the Clerk's office.

* No person shall sell Permissible Consumer Fireworks without first obtaining an inspection from the Fire Chief for compliance with the International Fire Code as adopted by the Town of Payson. Following such inspection, the Fire Chief shall issue a permit if the sales site is in compliance. No roadside sales shall be permitted.

References

Town of Payson Ordinance No. 788: An Ordinance of the Mayor and the Common Council of the Town of Payson, Arizona adding Section 130.9 to the Code of Town of Payson.

Town of Payson Resolution No. 2572: A Resolution of the Mayor and the Common Council of the Town of Payson, Arizona, adding Section 130.9 to the Code of the Town of Payson.

Arizona Revised Statutes Section 36-1601.

Code of the Town of Payson Section 130.9.

TOWN OF PAYSON

FIREWORKS REGULATION

The use of fireworks within the Town of Payson, except *Novelty Items as defined by Town Code Section 130.09, is prohibited.

Consumer Fireworks authorized for sale under state law may not be sold to persons under the age of 16.

*Novelty Items means federally deregulated novelty items that are known as snappers, snap caps, party poppers, glow worms, snakes, toy smoke devices, non-ignition sparklers, and certain toys as defined in Arizona Revised Statute 36-1601.