

<p style="text-align: center;">OFFICE OF THE FIRE MARSHAL</p> <p style="text-align: center;">UPPER DARBY TOWNSHIP</p>	<p style="text-align: center;">Code of Ordinances of the Township of Upper Darby</p>
	<p style="text-align: center;">Reference Upper Darby Code Section: Chapter 303 and International Fire Code (2015) Section 5601</p>
<p>FIREWORKS</p>	

ISSUE:

Members of our community have questioned the use of consumer fireworks. The intent of this notification is to inform our community about the Township ordinance and fire safety when possessing and using fireworks.

CONSUMER FIREWORKS:

A person who is at least 18-years of age and meets the requirements of the ordinance may purchase, possess, and use consumer fireworks, subject to the prohibitions set forth to the following:

PROHIBITIONS:

1. Consumer fireworks on Township streets, sidewalks, parks, or other Township-owned property.
2. Consumer fireworks on private property without the express permission of the owner.
3. Consumer fireworks or sparking devices within, or throw consumer fireworks or sparking devices from, a motor vehicle or building.
4. Consumer fireworks or sparking devices into or at a motor vehicle or building or at another person.
5. Consumer fireworks or sparking devices while the person is under the influence of alcohol, a controlled substance, or another drug.
6. Consumer fireworks within 150 feet of an occupied structure.
7. Persons shall not keep or store, nor shall any permit be issued to keep or store, any explosives at any place of habitation, or within 100 feet (30 480 mm) thereof.

Time restriction. No consumer fireworks shall be ignited or discharged two hours or later after sunset, as determined by the National Weather Service.

Sale and storage of consumer fireworks. The sale and storage of consumer fireworks is licensed and regulated by the Pennsylvania Department of Agriculture. Any person who intends to sell or store consumer fireworks within the Township shall provide proof of such licensure prior to such use being conducted within the Township, in addition to compliance with all other applicable Township ordinances and regulations.

FIREWORKS – Code of Ordinances of the Township of Upper Darby**STORAGE:**

Unused Fireworks should be stored in a cool and dry place, and away from electrical appliances.

VIOLATIONS and PENALTIES:

A person using consumer fireworks in violation of the provisions of this chapter commits a summary offense and, upon conviction, shall be punished by a fine of not more than \$100, plus the costs of prosecution and actual attorney's fees.

A person selling consumer fireworks in violation of the provisions of this chapter commits a misdemeanor of the second degree.

The Upper Darby Police Department, Pennsylvania State Police, or Sheriff's deputy shall take, remove or cause to be removed at the expense of the owner all stocks of consumer fireworks or display fireworks or combustibles offered or exposed for sale, stored or held in violation of this chapter. The owner shall also be responsible for the storage and, if deemed necessary, the destruction of these fireworks.

A person selling display fireworks in violation of the provisions of this act commits a felony of the third degree.

A person selling federally illegal explosives such as devices as described in 49 CFR 173.54 (relating to forbidden explosives) or those devices that have not been tested, approved and labeled by the United States Department of Transportation, including, but not limited to, those devices commonly referred to as M-80, M-100, blockbuster, cherry bomb or quarter or half stick explosive devices, in violation of the provisions of this act commits a felony of the third degree.

DISPOSAL:

DO NOT toss out unused fireworks or explosives into the garbage cans. Please follow these steps for proper disposal of unused fireworks:

- Soak the fireworks completely. Submerge the fireworks in a bucket of water for at least 15-minutes. They need to soak until they are fully saturated, which can take anywhere from 15-minutes for small fireworks to many hours for large fireworks.
- Wrap them up. Double wrap the soaked fireworks in either plastic wrap or two plastic bags. Make sure they do not dry out, as they need to remain saturated to safely dispose of them.
- Once you have double wrapped the completely soaked fireworks in plastic, they are safe to dispose of. Fireworks are not considered hazardous waste, so you can place them in your household garbage or take them to a landfill.