

CHAPTER 3

FIREWORKS

SECTION

- 7-301. Definitions.
- 7-302. Applicability.
- 7-303. Application process.
- 7-304. Restrictions.
- 7-305. Regulations.
- 7-306. Suspension and civil fines.

7-301. Definitions. For the purposes of this chapter:

- (1) "Applicant" shall mean any person or representative of a business organization applying for a permit to sell fireworks.
- (2) "Fireworks" shall mean any combustible or explosive device for producing a striking display of light or loud noise.
- (3) "Permit" shall mean the lawful issuance by the authority of the Town of Gordonsville.
- (4) "Seasonal retailer" means any retailer that engages in the sale of fireworks for a temporary duration.
- (5) "Shall" shall mean mandatory.
- (6) "Stands/booths" shall mean any temporary shelter, tent, or structure utilized for the sale of fireworks. (Ord. #99-05-01R1-05-03, April 2005)

7-302. Applicability. All fireworks stands or booths within the town limits of Gordonsville shall be subject to these regulations. (Ord. #99-05-01R1-05-03, April 2005)

7-303. Application process. (1) Any individual or business organization endeavoring to sell fireworks within the town limits of the Town of Gordonsville shall apply for a permit to sell fireworks and shall include the following:

- (a) Full legal name of applicant;
- (b) Business address;
- (c) Social security number;
- (d) Names and addresses of all persons responsible for the handling, storing and selling of fireworks;
- (e) Name and address of the business organization the applicant represents, if applicable;
- (f) Proposed location of applicant's fireworks stand or booth;
- (g) Date of the application;
- (h) The beginning and ending date the applicant desires to sell the fireworks;

- (i) Copy of fireworks permit from the State of Tennessee;
- (j) Copy of current business license; and
- (k) Signature of applicant.

(2) Each application shall be accompanied by a nonrefundable cashier's check in the amount of three hundred fifty dollars (\$350.00).

(3) Each applicant will be required to post a bond naming the Town of Gordonsville as beneficiary in the amount of five thousand dollars (\$5,000.00) or liability insurance to the Town of Gordonsville in the amount of one million dollars (\$1,000,000.00).

(4) An applicant's permit application will be considered at the next regular meeting of the board of mayor and aldermen after application has been submitted.

(5) When approved or denied, the town recorder shall forthwith notify the applicant of the board's decision.

(6) Any applicant will be allowed two (2) applications in any one (1) calendar year.

Under no circumstances shall any applicant, whether representing oneself as an individual or in a representative corporation, be allowed to apply more than twice in any given year for the same business organization or individual.

(7) In the event an applicant's circumstances change which affect the provisions set forth in this chapter, the applicant shall notify the town recorder in writing within fifteen (15) days from the change in circumstances.

(8) Any applicant denied two (2) times shall not be allowed to reapply until the expiration of one (1) year from the date of the second refusal. (Ord. #99-05-01R1-05-03, April 2005)

7-304. Restrictions. (1) No stand or booth shall be erected in the Town of Gordonsville for the sale of fireworks without a lawful permit issued to the seasonal retailer by the Town of Gordonsville.

(2) No seasonal retailer shall sell fireworks within the Town of Gordonsville without a lawful permit.

(3) No stand or booth for the sale of fireworks shall be erected on any property, or within one hundred feet (100') of any property (measured from the nearest point), wherein hazardous substances or chemicals or combustible materials are sold, exchanged or stored which shall include, but are not limited to, gasoline, liquid flammable, explosives or other combustible products.

(4) All stands and booths shall comply with all zoning ordinances promulgated by the Town of Gordonsville.

(5) No smoking shall be allowed within fifty feet (50') from the nearest point of any booth or stand.

(6) No booth or stand shall be erected within one hundred feet (100') of a church, school or residence measured from the nearest point of the church, school or residence to the nearest point of the booth or stand.

(7) No permit shall be issued when such business would cause congestion of traffic.

(a) Persons engaged in the sale of fireworks shall ensure that the property on which the business is located shall be reasonably safe for motorists and pedestrians and adequate parking is available.

(b) Persons engaged in the sale of fireworks shall prevent the visible obstruction of the business driveways, along State Highway 53, from any motor vehicle ingressing or egressing to and from the premises. (Ord. #99-05-01R1-05-03, April 2005)

7-305. Regulations. (1) All seasonal retailers operating a fireworks stand or booth shall have visibly displayed the permit issued in accordance with this chapter at the locale of the booth stand.

(2) No seasonal retailer shall be permitted more than one (1) booth or stand within the town limits in any season for which fireworks are sold.

(3) All signs shall be in compliance with the Town of Gordonsville zoning regulations.

(4) Permits shall be issued for a maximum of twenty-eight (28) days. (Ord. #99-05-01R1-05-03, April 2005)

7-306. Suspension and civil fines. (1) Any permit issued pursuant to the terms of this chapter may be revoked, suspended and/or a civil penalty may be imposed on the permit holder.

(2) Any applicant or permit holder knowingly making a false statement on the application shall forfeit the permit.

(3) A civil penalty must be paid within seven (7) days or a suspension shall be imposed.

(4) Upon revocation of a permit, no new permit shall be issued to a person whose permit was revoked, or for the same premises for which the permit was revoked, until the expiration or a minimum of one (1) year, from the date the revocation becomes final and effective. (Ord. #99-05-01R1-05-03, April 2005)