

PERMISSIBLE FIREWORKS ORDINANCE

TANNERITE ORDINANCE

Possession, Use, and Discharge of NH Permissible (Consumer) Fireworks and Tannerite in the town of Antrim

PURPOSE

The primary intent of this Ordinance is to protect the health of human (both physiological and psychological), animals (domestic and wild), water bodies, structures, and undeveloped land, from the inherent dangers associated with the display of incendiary materials; the refuse discharge from these displays, along with preventing unwanted disturbances attributable to loud bangs and other noises associated with fireworks.

Definitions:

Permissible Fireworks, as established for sale to the general public in the State of New Hampshire also known as "class C fireworks," which are common fireworks, and firecrackers sold for consumer use. Consumer fireworks include: shells and mortars, multiple tube devices, Roman candles, rockets, sparklers, firecrackers with no more than 50 milligrams of powder. The display of permissible fireworks shall be performed in a manner that does not create an unsafe condition."

Tannerite, is a brand of binary explosive targets used for firearms practice and sold in kit form. The targets comprise a combination of oxidizers and a fuel, primarily aluminum powder, that is supplied as two separate components that are mixed by the user. The legal use of Tannerite targets are for a shot indicator only

Fireworks; Only consumer Class C fireworks are allowed. Novelties (Party Poppers, Snaps, Sparklers and Snakes are exempt)

- The person discharging the fireworks shall provide proof that he, or she is the landowner of where the fireworks discharge is occurring, or has the landowner's written permission when requested by the Fire Chief, Police Chief, and Police officer or their authorized designee
- The person discharging the fireworks/Tannerite shall provide a valid photo identification, which also identifies their address and date of birth when requested by Fire and Police personnel.
- A person shall be at least 21 years of age or older to purchase, possess and discharge fireworks. (NH RSA 160-C:11)
- Fireworks shall be purchased from a licensed N.H. Permissible Fireworks retailer
- Aerial display Fireworks shall be ignited a minimum of 75 feet from any structure, overhead utility lines, woodlands, property lines, or boundaries. A means of fire extinguishment is required to have readily accessible.

Permissible Fireworks: shall only be discharged on Friday and Saturday between the hours of 06:00 PM and 11:00 PM with the exception of New Years eve and July 4th (exceptions may be applied for in writing for special events that do not fall within the permitted days and timeframes)

- For Fireworks Displays with a proximate audience, NFPA 1123 may apply as determined by the AHJ (Authority Having Jurisdiction)
- Be courteous to your neighbors and be aware of pets and animals in the area. Noise and lights of fireworks often frighten some animals.
- Discharge of fireworks will not be allowed on days when the Fire Danger day is Class 4 or 5

as determined by the New Hampshire Division of Forest and Lands Bureau of Forest Protection or at times when a red flag fire warning has been issued by the National Weather Service.

- The Fire Chief and, or his authorized designee, reserve the right to inspect the location and fireworks being discharged at any time during the display
- Any sworn law enforcement officer of the town, county or state, as well as the Fire Chief and his/her designee shall be empowered to enforce this ordinance.
- Persons found in possession of, or discharging Non-Permissible Fireworks shall be subject to the penalties outlined in the NH RSA 160-B.
- Tannerite should be used in a remote area, minimum of 100 yards from any structure and should not be used near any combustible materials
- All refuse from the use of fireworks/Tannerite must be contained on the property from which they are being ignited and cannot travel over nor discharge on other property without consent of the owner
- Anyone discharging or igniting fireworks/Tannerite shall NOT be under the influence of any drugs or alcohol.
- The person discharging the fireworks/Tannerite shall be responsible for reimbursing the Town of Antrim for all costs associated with the mitigation of any fire, or other emergency which is the result of the misuse of fireworks or Tannerite.

Nothing in this ordinance shall preclude any sworn police officer from enforcing any section of NH RSA 160-B or NH RSA 160-C.

Tannerite: If used to purposely cause a breach of the peace, public inconvenience, annoyance or alarm, or recklessly creates a risk thereof, by:

- (a) Repeatedly making loud or unreasonable noises in a private place which can be heard in a public place or other private places, which noises would disturb a person of average sensibilities; or
- (b) Disrupting the orderly conduct of business in any public or governmental facility; or
- (c) Disrupting any lawful assembly or meeting of persons without lawful authority.

As outlined in NH RSA Chapter 644 Breaches of the Peace and related Offences Section 644:2- Disorderly Conduct.

- Failure to comply with provisions of this ordinance shall result in:

First Offense: Written warning

Second Offense: 250.00 fine


Third Offense: \$500.00 fine. All fines shall be paid to the Town of

Be sure to use Fireworks and Tannerite in a safe area, meeting all safety distances and requirements. Please respect the adjoining property owner's and area neighbors right to tranquility.

Date: 6/21/2021


John Robertson, Select Board Chairman


Robert L. Edwards, Select Board Member


Tom Davis, Select Board Member