

APPLICATION TO OPERATE
A PUBLIC FIREWORKS DISPLAY

The following information must be supplied to conform to the requirements of the Rules and Regulations of the State Fire Marshall for the Display of Fireworks. (See attached Rules and Regulations for details).

1. Application type: Residential Commercial

2. A. Applicant: _____

 B. If a Contractor will be conducting your display list the name and address:

 C. Person in charge of operating the display:

 Name: _____ Address: _____

 HT: _____ WT: _____ Hair Color: _____ Eye Color: _____

 Number of years experience: _____ Describe your prior experience operating a
fireworks display: _____

3. Date and time of display: _____

4. Fireworks being displayed are: (Check One)

 Class B ____ (A copy of your federal explosives permit must be submitted with this application.

 Class C ____ (Commonly used: small roman candles, sky rockets, cylinder and cone type
foundations, wheels, firecrackers and similar devices).

Fireworks are categorized as explosives. Please describe the type of fireworks you will be
displaying to include the number of each type.

5. Manner and place of storage of fireworks prior to display:

6. The physical location of the fireworks display, use E-911 address:

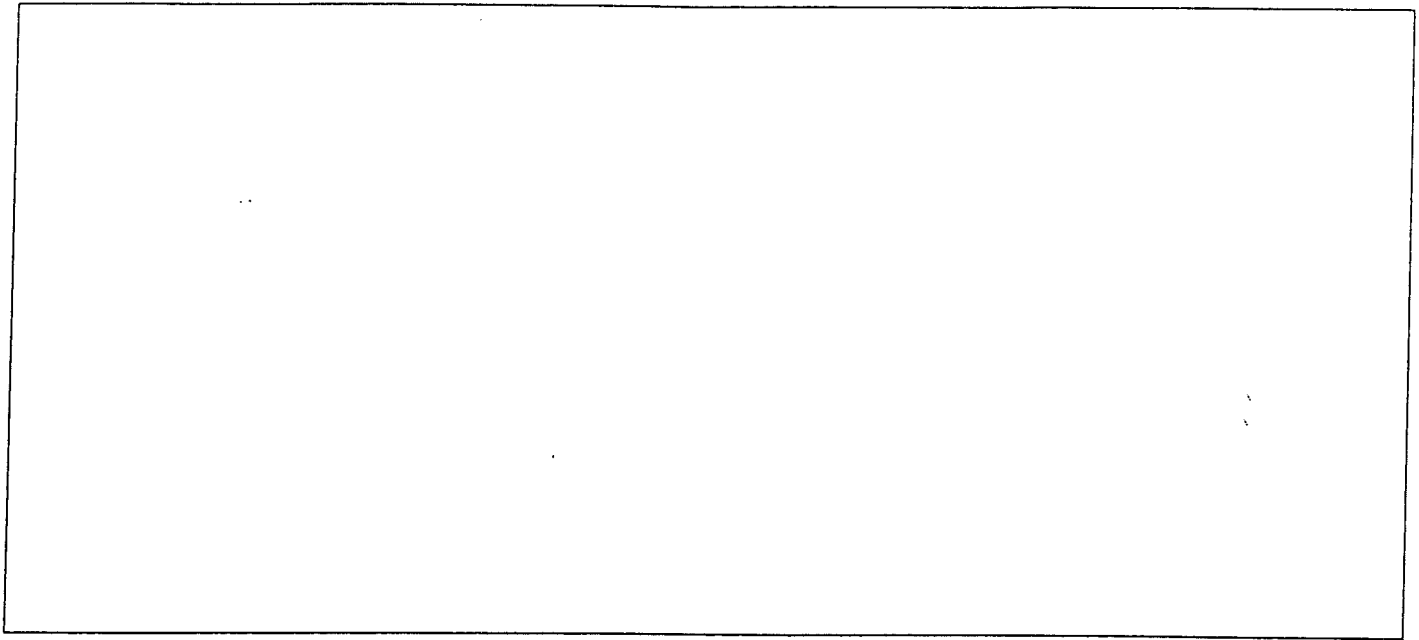
7. On the back of this application provide a diagram of the location of the display. (see attached
Rules and Regulations, Application for permit, #2(g) for instructions).

NOTICE:

- This application shall be submitted at least fifteen (15) days in advance of the date of the display!
- The Williamstown Fire Chief, Chief of Police or their authorized designees(s), and the Board of Selectman has the power to deny or place restrictions on any application. Such denial or restriction will be written and attached hereto as an amendment of the applications. All departments will recommend approval prior to the Board of Selectmen issuing a firework display permit.
- The police or fire Chief may request the applicant publish a 3" X 4" advertisement in The Times Argus newspaper in an effort to notify the general neighborhood where the fireworks display will take place. The advertisement will appear no earlier than 48 hours prior to the scheduled display date.
- A copy of the approved application and/or amendment will be kept at the Fireworks Display site.
- Attached hereto is a copy of the VT Statutes, title 20 regarding Fireworks and the Rules and Regulations of the State Fire Marshall of the Public Display of Fireworks.

FIREWORKS DISPLAY APPLICATION CONTINUED:

Sketch of Display Plan



The sketch will be a diagram of the grounds on which the fireworks display is to be held and should include, but is not limited to:

- Showing the point at which the fireworks are to be discharged
- The location of all buildings, highways and other lines of communication
- The lines behind which the audience will be restrained
- The location of all nearby trees, telegraph or telephone lines or other overhead obstructions.

Date: _____

Applicant Signature _____

Signature(s) of local official(s) authorized to issue Fireworks display Permits:

Date: _____

Town Manager: _____

Date: _____

Fire Chief: _____

Date: _____

Fire Warden: _____

Please notify the Orange County Sheriff Office prior to the display at 685-4875.

Note: A certificate of Liability Insurance is required made out to the Town of Williamstown as certificate holder. Please attach to the application.

The Vermont Statutes Online

Title 20: Internal Security and Public Safety

Chapter 177: Explosives And Fireworks

§§ 3021, 3022. Repealed. 1971, No. 205 (Adj. Sess.), § 7.

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§ 3061. Possession

A person who keeps or suffers to be kept upon premises owned or occupied by him, within fifty rods of an inhabited building of another person, more than fifty pounds of gunpowder or nitroglycerine at one time, or more than one pound unless contained in sound canisters of tin or other metal, or a package containing more than fifty pounds of dynamite, shall be fined \$25.00, and \$25.00 additional for each day that it is so kept after notice from an inhabitant of such town to remove the same.

§ 3062. Unlawful transportation

(a) No person shall transport, carry or convey from one place in this state to another place in this state, dynamite, gunpowder, or other explosive on a vessel or vehicle of any description operated by a common carrier, which vessel or vehicle is carrying passengers for hire.

(b) No person shall transport, carry, or convey intrastate, liquid nitroglycerine, fulminate in bulk in dry condition, or other like explosive, on a vessel or vehicle of any description operated by a common carrier in the transportation of passengers or articles of commerce by land or water.

§ 3063. Lawful transportation

It shall be lawful to transport on such vessel or vehicle small arms, ammunition in any quantity, and such fuses, torpedoes, rockets, or other signal devices, as may be essential to promote safety in operation; and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of a half pound each, and not exceeding twenty samples at one time in a single vessel or vehicle, but such samples shall not be carried in that part of a vessel or vehicle which is intended for transportation of passengers for hire. However, section 3062(a) of this title shall not be construed to prevent the transportation of military or naval forces with their accompanying munitions of war on passenger equipment, vessels, or vehicles.

§ 3064. Marking packages

Every package containing explosives or other dangerous articles when presented to a common carrier for shipment shall have plainly marked on the outside the contents thereof.

No person shall deliver or cause to be delivered to a common carrier an explosive, or other dangerous article under a false or deceptive marking, description, invoice, shipping order, or other declaration, or without informing the agent of such carrier of the true character thereof, at or before the time such delivery for carriage is made.

§ 3065. Penalties

(a) A person who knowingly violates, or causes to be violated, a provision of sections 3062-3064 of this title, or a regulation made by the public service board in pursuance thereof, shall be imprisoned not more than eighteen months, or fined not more than \$2,000.00, or both.

(b) When the death or bodily injury of a person is caused by the explosion of any explosive named in sections 3062-3064 and 3091-3092 of this title, while the same is being placed upon a vessel or vehicle to be transported in violation hereof, or while the same is being so transported, or while the same is being removed from such vessel or vehicle, the person who knowingly places, or aids or permits the placement of such explosives upon such vessel or vehicle to be so transported, shall be imprisoned not more than ten years. (Amended 1959, No. 329 (Adj. Sess.), § 39(b), eff. March 1, 1961.)

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§ 3065. PenaltiesLicensing of Explosives.

§ 3071. Possession by employee

For the purposes of this division, explosives in the possession of an employee who is acting within the scope of his duties shall be considered to be in the possession of the employer. (Added 1971, No. 107, § 10, eff. May 22, 1971.)

§ 3072. Issuance of license

(a) Any person who has reached the age of majority may apply to the commissioner of public safety for a license to possess, purchase, store, use, transport, give, transfer or sell explosives, as defined in section 1603 of Title 13, in this state for not more than one year from the date of issue.

(b) An applicant for a license shall be entitled to the issuance thereof upon the submission of evidence, under oath, which satisfies the commissioner of public safety that the applicant:

(1) Has a reasonable and lawful purpose for possessing, purchasing, storing, using, transporting, giving, transferring or selling explosives; and

(2) Has not been convicted of an offense the maximum term of imprisonment of which exceeds one year with the seven years preceding the application; and

(3) Has not been adjudged insane or mentally incompetent by a court of competent jurisdiction in this or any other jurisdiction; and

(4) He demonstrates that he is competent to possess, purchase, store, use, transport, give, transfer or sell the explosives as the case may be.

(c) The application for a license shall be in duplicate on forms provided by the commissioner of public safety and shall bear the name, address and signature of the licensee or an officer of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved for three years by the commissioner of public safety.

(d) The license shall be issued or denied within fifteen days after application therefor; however, if the application is denied, the reasons for the denial shall be stated in writing with a copy mailed to the applicant.

(e) The commissioner of public safety may revoke any license issued under this division if, in his opinion, the holder has violated any provision of this division or of sections 1603-1611 of Title 13, or is ineligible to acquire explosives or to obtain a license under this section. A written notice of a revocation of a license by the commissioner of public safety shall be given to the holder of the license in person or by certified mail prior to or concurrently with the effective date of the revocation, which notice shall state specific grounds upon which the revocation is based. (Added 1971, No. 107, § 10, eff. May 22, 1971.)

§ 3073. Fees

The fee for applications for licenses shall be \$50.00 for residents of the state and \$100.00 for nonresidents. Initial licenses shall be for a term of one year. License renewals shall be for three years for a fee of \$75.00 for residents and \$150.00 for nonresidents. Fees collected under this section shall be credited to a special fund and shall be available to the department of public safety to offset the cost of providing the service. (Added 1971, No. 107, § 10, eff. May 22, 1971; amended 1983, No. 195 (Adj. Sess.), § 5(b); 1999, No. 49, § 163; 2005, No. 72, § 17.)

§ 3074. Appeals

Any person denied a license for the reasons enumerated in section 3072(c) of this title or whose license is revoked may, within fifteen days of the date of the written denial of his application, request a hearing before the commissioner of public safety. The commissioner of public safety shall record any evidence offered by or on behalf of the person seeking the license, and also shall record any evidence denying or revoking the license, and list findings of fact upon which a decision was based. In the event the license is again denied or its revocation continued for any of the reasons enumerated in section 3072(c) of this title, an appeal may be taken to the appropriate superior court. (Added 1971, No. 107, § 10, eff. May 22, 1971; 1973, No. 193 (Adj. Sess.), § 3, eff. April 9, 1974.)

§ 3075. Rules and regulations

The commissioner of public safety may adopt rules and regulations under chapter 25 of Title 3 to implement the provisions of this division and to govern the storage, transportation and the manner of use of explosives as defined in section 1603 of Title 13. (Added 1971, No. 107 § 10, eff. May 22, 1971.)

§ 3076. Penalties

Any person convicted of violating the rules or regulations adopted under this division or making a false statement in applying for a license under this division, shall be fined not more than \$1,000.00 or imprisoned not more than five years, or both. (Added 1971, No. 107, § 10, eff. May 22, 1971.)

§ 3091. Permit

No person shall manufacture, possess, use or transport bombs, commonly called tear bombs, without first securing a written permit from the commissioner of public safety. Such permits shall be of such form and conditions, and for such length of time as the commissioner of public safety may prescribe and he may revoke for cause any permit so granted.

§ 3092. Penalties

A person who violates the provisions of section 3091 of this title may be fined not more than \$1,000.00 or imprisoned for a period not exceeding one year, or both. (Amended 1981, No. 223 (Adj. Sess.), § 23.)

§ 3131. Definitions

The term "fireworks" means 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, including blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, balloons that are propelled by explosives, firecrackers, torpedoes, sky rockets, Roman candles, cherry bombs, or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance, except sparklers. The term "fireworks" does not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing 0.25 grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use, and toy pistol paper caps that contain less than 0.2 grains of explosive mixture. The term "fireworks" does not include fixed ammunition for firearms, or primers for firearms. The term "sparkler" means a sparkling item that is in compliance with the United States Consumer Product Safety Commission regulations and is one of the following:

- (1) A hand-held wire or wood sparkler that is less than 14 inches and has no more than 20 grams of pyrotechnic mixture.
- (2) A snake, party popper, glow worm, smoke device, string popper, snapper, or drop pop with no more than 0.25 grains of explosive mixture. (Amended 2003, No. 15, § 1, eff. May 6, 2003.)

§ 3132. Prohibitions; permits

(a) Except as provided in this section, it shall be unlawful for any person, firm, co-partnership, or corporation to do any of the following: