

Fireworks Ordinance for the Town of Cranberry Isles

Fireworks Ordinance For the Town of Cranberry Isles As Amended September 02, 2014

1. Definitions.

- a. "Consumer fireworks" has the same meaning as the words are defined and used in Title 8 MRS §221-A.1-A.
- b. "Fireworks" has the same meaning as the word is defined and used in Title 8 MRS §221-A.4.
- c. "Municipality" means the Town of Cranberry Isles.
- d. "Permit" means a permit to possess and use fireworks issued by the Maine Commissioner of Public Safety, or his designee, pursuant to Title 8 MRS §227-A.
- e. "Person," "Possession," "Sale" and "Sell" have the same meaning as the words are defined in Title 8 MRS §221-A.7, 8 and 9.
- f. "Territorial Waters" as defined in the Town of Cranberry Isles Harbor Management Ordinance, all waters surrounding the five islands within a third mile and/or the halfway point between the mainland and any island shall be the harbor waters of the Town of Cranberry Isles and the outer limits of these waters shall be the harbor limits.

2. Prohibition of consumer fireworks. The sale, possession for use or intent to sell, or the use of, consumer fireworks within the municipality and its territorial waters by any person is prohibited.

3. Fireworks. The possession and use of fireworks within the municipality and its territorial waters is limited by Maine statutes; and, fireworks may only be possessed and used within the municipality pursuant to a permit.

4. Penalties. Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$500.00 nor more than \$1,000.00. Each violation shall be deemed a separate offense. Prosecution shall be in the name of the municipality and shall be brought in the Maine District Court. The municipality or its officers may seize and dispose of consumer fireworks, sold, possessed or used in violation of this Ordinance or which the municipality has probable cause to believe that said consumer fireworks are sold, possessed or used in violation of this Ordinance. Seized consumer fireworks shall be disposed of by transferring seized consumer fireworks to the Maine Commissioner of Public Safety or his designee.

5. Amendments. This Ordinance may be amended by the municipal officers at any properly noticed meeting.

6. Severability; Effective Date. In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Ordinance shall take effect immediately upon enactment by the inhabitants.