

## CHAPTER 5

### FIREWORKS

#### SECTION

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**7-501. Rules and regulations of state to apply.** Tennessee Code Annotated, §§ 66-222-101 through 66-222-116, grants to the Tennessee Department of Commerce and Insurance, Division of Fire Prevention, the statutory authority to regulate the sale of fireworks within the State of Tennessee. Said rules and regulations shall apply to the sale of fireworks in the City of Baxter, proof of compliance with these rules and regulations shall be furnished to the Fire Chief of the City of Baxter (or designated representative) upon request. (Ord. #2002-3, March 2002)

**7-502. Districts where permissible.** The sale of fireworks shall be permitted only between Main and Broad Street and local businesses that are zoned commercial and must meet all the requirements to sell fireworks, but not within three hundred feet (300') of any school. The sale of fireworks along any other street is expressly prohibited. (Ord. #2002-3, March 2002)

**7-503. Definitions of fireworks sales.** Seasonal sale. The seasonal sale of fireworks shall be permitted from June 20 until July 5 and December 10 until January 2 of any given year. Seasonal sales of fireworks shall be defined as taking place within a tent or other structure approved by the fire chief (or designated representative). (Ord. #2002-3, March 2002)

**7-504. General rules and regulations.** (1) All tents used for the sale of fireworks shall be of fire retardant material and display proof of same.

(2) All tents of other temporary structures used for the sale of fireworks shall be located a minimum of fifteen feet (15') from any other structure.

(3) All tents or other temporary structures used for the sale of fireworks shall be located a minimum of fifteen feet (15') from any public street or right-of-way.

(4) All lighting and other electrical facilities used in association with tents or temporary structures shall be approved by the state electrical inspector or city codes inspector.

(5) All locations used for the sale of fireworks shall maintain on premises a fire extinguisher in operative status.

(6) Parking shall not be permitted on public streets or in such a way as to interfere with the visibility of vehicles using said streets. (Ord. #2002-3, March 2002, modified)

**7-505. Permits required and procedures.** Any individual or firm wanting to sell fireworks within the corporate limits of the City of Baxter shall purchase a Baxter business license from the city clerk and a fireworks permit from the Baxter Fire Chief (or designated representative). The sale of fireworks requires a permit from the Tennessee state marshal. The forms necessary to obtain such permits are available at the office of the Baxter Fire Chief. Upon obtaining the permit from the office of the state fire marshal, the applicant shall present the approved application and Baxter business license to the fire chief (or designated representative), who shall then inspect the site of the proposed fireworks sale. If the site is in conformance with all applicable rules and regulations, the fire chief (or designated representative) shall approve it for such use. (Ord. #2002-3, March 2002)

**7-506. Fees.** Prior to issuance of a fireworks permit by the Baxter Fire Chief (or designated representative), the applicant shall have paid a fee of one hundred dollars (\$100.00) for the seasonal sale of fireworks. A separate permit for seasonal sales and appropriate fees shall be paid for each of the periods listed above. (Ord. #2002-3, March 2002, modified)

**7-507. Discharge of fireworks.** It shall be unlawful for anyone to fire, set off or otherwise discharge fireworks within the City of Baxter limits, except in cooperation with an established organization and in celebration of a special event or holiday and with not less than ten (10) days notice, to the city coordinator, police and fire chief and the securing of a properly issued burn permit.

Other exceptions are as follows: five (5) days prior to, and three (3) days after the 4th of July, Christmas, and New Years Day. Fireworks shall not be set off after 11:00 P.M. on any day. Fireworks can be banned on any day due to, but not limited to, weather conditions, and special events, at the fire chief's discretion. No fireworks shall be set off that would disrupt the peace or cause damage to property. (Ord. #2002-3, March 2002, modified)