



City of Belton
Fireworks Regulations
Effective April 1, 2013

SECTION 5609 FIREWORKS SALES AND USE

5609.1 Definition. For the purposes of this section, Fireworks (formerly known as Class C, Common Fireworks) shall mean any composition or device for the purpose of producing a visible or audible effect for entertainment purposes by combustion, deflagration, or detonation which are classified as fireworks UN 0336, 1.4G by the United States Department of Transportation and the United States Consumer Product Safety Commission as set forth in CPSC 16 CFR parts 1500 and 1507.

5609.2 Storage and sale of fireworks. It shall be unlawful for any person, firm, organization or corporation to store, or to offer for sale fireworks of any type within the corporate limits of the City of Belton, provided however, that the city manager or his or her duly designated agent may issue sale permits in accordance with the provisions hereof to any duly recognized Belton civic organization, service club, charitable organization or church organization allowing the storage and sale of certain fireworks as provided herein for a period not exceeding seven days prior to and including July 4 of each year. Charitable organizations, church organizations and affiliated institutions such as schools benefitting from such organization's fireworks sales shall be located in and operate in Belton to be duly recognized. No more than one license shall be issued to each duly recognized organization. No license shall authorize fireworks sales at more than one site. Such license period shall begin no earlier than 8:00 a.m. on June 28 and end no later than midnight, July 4th of the year in which the permit is issued. No sales shall take place between the hours of midnight and 8:00 a.m. during the license period.

5609.3 Licenses for storage, sale. Any person, firm, organization or corporation as defined above, who fails to make application for a permit or license to store or sell fireworks with the fire prevention bureau of the fire department by the 1st day of June of the year in which such permit or license is desired, may be denied a permit. After approval by the fire prevention bureau of the fire department, the applicant may be issued a permit upon payment of a fee as established in the Unified Development Code Appendix A for each site location from which fireworks shall be offered for sale. Said payment shall be made to the City of Belton.

The application shall state the name of the organization, location of the sales site, type of structure from which sales are to be made, type of fire protection proposed and names of owners of adjoining property within a 300-foot radius of the sale site and other information required for the application for a "temporary use" as defined in the City of Belton Unified

Development Code. Before any permit is granted the applicant shall file with the fire prevention bureau of the fire department a certificate of insurance showing the existence of a current policy of liability insurance for the operation of such enterprise, with face amount of said policy being not less than \$200,000.00 for the injury or death of more than one person, plus \$1,000,000.00 for property damage resulting from such enterprise.

Not more than one license for the storage or sale of fireworks shall be issued per 4,000 population; provided, that the duly recognized organization as defined in this section holding a permit for the year 2010 shall be entitled to apply for and receive a license irrespective of the population limit so long as application is submitted annually. Should the organization choose not to resubmit in any year, then should the applicant submit in a subsequent year, the application will be subject to the population limits set forth herein.

Before any applicant meeting all of the qualifications of this section is granted a license for storage and sale of fireworks, the applicant or their authorized representative must attend a mandatory safety meeting. The purpose of this meeting is to review current City of Belton fireworks regulations, dates, times and other safety information. The date(s) and location(s) of the safety meeting will be included in the application packet provided to each potential license holder.

5609.4 Sale site. All sale sites shall be on private property and all applicants must provide, prior to receipt of permit or license, written statements from the owner of said property, or a duly authorized agent, that the organization has the permission to use the property for the purpose of the display and sale of fireworks.

5609.5 License not transferable; personnel at sale site. Each and every permit approved and issued under the provisions of this section shall be restricted solely to the organization to which same is issued and nontransferable to any other organization or person. Additionally any such permit shall be valid only for the location specified thereon. Sale of fireworks or operation of a site by any organization or individuals who are not members of the permittee shall void the permit and cause forfeiture of the permit fee. Any application disapproved by the city manager or his or her duly designated agent shall be returned to the applicant along with the fee deposited.

5609.6 Seller to display sign. Each sales site for which a license for storage or sale has been issued shall post a sign in a prominent location stating:

"SHOOTING OF FIREWORKS IS PROHIBITED ON CITY STREETS, IN PARKS AND OTHER PUBLIC PROPERTY FIREWORKS MAY ONLY BE DISCHARGED FROM 10:00 AM - 10:00 PM JUNE 28TH - JULY 4TH (MIDNIGHT ON THE 4TH) POSSESSION OR DISCHARGE OF BOTTLEROCKETS, SKYROCKETS OR ROMAN CANDLES IS PROHIBITED IN THE CITY OF BELTON"

Each sign shall be weather-resistant with lettering at least two inches high that contrast with their background.

5609.7 Use and sale of Class C fireworks, with the exception of bottle rockets, sky rockets and Roman candles. Notwithstanding any other provisions of this section, the city council grants permission for the limited sale and use of fireworks, with the exception of those fireworks devices commonly referred to as bottle rockets, sky rockets and Roman candles, whose possession, sale, use and discharge of said enumerated items being hereby prohibited. Such use and sale shall be governed by the following regulations:

1. It shall be unlawful for any person to throw or place any fireworks, including pyrotechnic devices, in such manner that explosion of same will likely endanger or cause injury or damage to any person or property.
2. The use of such fireworks shall be restricted to the period from 10:00 a.m. June 28th to midnight July 4th of each year.
3. No fireworks may be exploded between the hours of 10:00 p.m. and 10:00 a.m. except for Sundays, at which time the morning period of restriction shall be extended to 12:00 noon. Fireworks may be discharged in accordance with all other regulations until midnight, July 4th.
4. No fireworks shall be exploded during the hours of any religious service in the vicinity where such services are being conducted.
5. Throwing or discharging fireworks from a moving vehicle of any type is prohibited.
6. Throwing or discharging of fireworks on any public property, including streets and parks, is prohibited.

5609.8 Safety precautions. No fireworks may be sold without a license as described in section 5609.3. The license must be displayed in such a manner as readily visible from the check out area of the sales location. In addition, the following safety regulations must be met and maintained throughout the license period:

1. Unless specified otherwise, licensees shall comply with all provisions of the City of Belton Code of Ordinances, the adopted fire and building codes, zoning regulations, and all other regulations of the City of Belton and the State of Missouri. Where there exists a conflict, the most stringent regulation shall apply.
2. Each licensee shall keep and maintain at least two, minimum 2-A rated fire extinguishers mounted in an accessible location, in plain view, near a path of travel one of which shall be a pressurized water type. The maximum travel distance to a fire extinguisher shall be 35 feet.
3. No smoking or carrying of a lighted pipe, cigar, cigarette, or similar material is permitted in the sales area or within 50 feet thereof. Licensees must provide an approved receptacle for the safe disposal of smoking materials outside of the restricted area.

4. It shall be unlawful to sell or to offer for sale fireworks to any intoxicated or irresponsible person.
5. The fire prevention bureau of the fire department is authorized to take, remove or cause to be removed, at the expense of the owner all stocks of fireworks offered or exposed for sale, held, used or handled in violation of this section.
6. No hay, straw, shavings or similar combustible material that have not been treated to make them flame retardant shall be permitted within the fireworks sales location. Failure to meet or maintain any of the provisions of this section shall void the permit and cause forfeiture of the permit fee.
7. Licensees shall permit authorized inspections of their sales and storage areas prior to and during the license period.

SKY LANTERNS

Sky Lantern. An unmanned device with a combustible fuel source that incorporates an open flame to heat the air inside the device with the intention of causing the device to lift into the atmosphere.

Section 308.1.6.3 Sky Lanterns. The lighting of, or release of sky lanterns shall be prohibited.