

TOWN OF TAMWORTH FIREWORKS ORDINANCE

A. Definitions

1. **Board**: means the Tamworth Board of Selectmen
2. **Fireworks**: means permissible fireworks as defined by RSA 160-C:1, V and state regulation.
3. **Person**: means: a natural person or persons, a corporation, limited liability company, limited liability partnership, general partnership, limited partnership or any other for profit or non-profit entity, incorporated or unincorporated.

B. Sale and Possession of Fireworks

The sale, possession and display of fireworks other than permissible fireworks as defined herein is prohibited in the town of Tamworth, except in accordance with this ordinance.

C. Prohibitions

1. No person or entity shall sell permissible fireworks within the Town of Tamworth other than a person or entity who meets the requirements of RSA 160-B:2, I and this ordinance, nor sell permissible fireworks to any person or entity other than those who meet the requirements of RSA 160-B:2, II.
2. No person or entity shall sell permissible fireworks within the Town of Tamworth without a town permit. No permit shall be issued to any person or entity who does not meet the requirements of this ordinance and all applicable state and federal law.
3. No person or entity shall possess or display fireworks within the Town of Tamworth other than a person or entity who meets of the requirements of RSA 160-B:3 and/or RSA 160-B:4.

D. Permits

1. Permits shall be obtained from the Board of Selectmen or its designee.
2. Permits are issued on an annual basis and are valid for 12 months.
3. The fee for a permit is \$1000.00.

E. Requirements for a Tamworth Fireworks Permit

1. All licensees must demonstrate complete compliance with RSA 160-B and 160-C and associated regulations.
2. Copies of all required state and federal permits must be provided to the Board of Selectmen (permits may be issued conditionally on provision of all required State of New Hampshire permits to the Board).
3. Permit fee must be paid prior to issuance of town permit.
4. Sale of all fireworks must be in a separate, free standing, permanent structure, devoted exclusively to the sale of fireworks. See RSA 160-B:6, III-a. Such structure shall be limited to one story and shall not have a basement. The building must be at least 100 feet from any residential structure; at least 30 feet from any other structure and must comply with all applicable laws, including, but not limited to the New Hampshire State Building Code and New Hampshire State Fire Code. The structure must also meet the requirements of NFPA 101 (1997 Edition) Chapter 24 Section 24-1.4.2.1 Part C (Class C Mercantile Occupancy). Requirements for high hazard mercantile occupancies as outlined in Chapter 24 of NFPA 101 (1997 Edition) shall be met.
5. No permit shall be issued prior to review and approval of the application by the police chief and fire chief. Such review shall be consistent with this ordinance, RSA 160-B and 160-C, N.H. Code of Administrative Rules Saf-C 2600, and all applicable fire and safety codes.

F. Penalties

Penalties for violation of this ordinance, including fines, license suspension and revocation, shall be in accordance with those in RSA 160-B and 160-C.