

City of Westbrook
IN CITY COUNCIL



November 7, 2011

ORDERED:

2011-180

ADOPTION OF FIREWORKS LICENSE ORDINANCE

That the Westbrook City Council hereby adopts the attached amendment to Chapter 20-Licenses and Permits, regarding the sale of consumer fireworks.

A TRUE COPY ATTEST:

Lynda Adams
LYNDA ADAMS
CITY CLERK, WESTBROOK, MAINE

DATED 12/6/11

First Reading: November 7, 2011

Second Reading & Passed: December 5, 2011

Attest:

Lynda D Adams

City Clerk

Colleen Hill

Mayor

ARTICLE XIX. PERMITS FOR SALES OF CONSUMER FIREWORKS

Sec. 20-175. Definitions.

Consumer fireworks. Those types of fireworks included in the definition set forth in 8 M.R.S.A. Section 221-A.

Sec. 20-176. Permit required

No person shall sell consumer fireworks without a permit issued by the City.

Sec. 20-177. Application procedure.

Applications for permits required by this article shall be obtained from the City Clerk's Office. Permits shall be issued by the City Clerk's Office if all of the requirements of Section 20-178 are met.

Sec. 20-178. Requirements.

- (a) An applicant for a permit to sell consumer fireworks must be at least 21 years of age.
- (b) An applicant for a permit to sell consumer fireworks must also have a federal permit to sell fireworks under 18 U.S.C. Section 843 and a state license issued under 8 M.R.S.A. Section 223-A(3) and must provide evidence of required permits and licenses to the City before issuance of the City permit.
- (c) An applicant for a permit to sell consumer fireworks shall show evidence of insurance coverage as required by 8 M.R.S.A. Section 223-A(5). Such insurance must be maintained throughout the term of the permit
- (d) A person selling consumer fireworks must provide proof of compliance with all applicable federal and state requirements, including but not limited to the storage and handling requirements set forth in 8 M.R.S.A. Section 223-A(4).
- (e) A separate permit shall be required for each location at which the applicant proposes to sell consumer fireworks.
- (f) The applicant shall pay a fee for the permit as established in the Master Fee Schedule in Appendix B to this Ordinance. Such fees shall be paid at the time of the application and are non-refundable.
- (g) Permits issued under this Article shall not be transferable.

Sec. 20-179. Suspension, revocation of permit; appeal.

A permit issued under this Article may be suspended or revoked by the city clerk upon any of the following:

- (a) The permit holder is adjudged to be in violation of any applicable provision of state or federal law.
- (b) The permit holder has had either its state license or federal permit suspended or revoked or has failed to renew either such license.

A permit holder may appeal a suspension or revocation to the municipal officers, but no permit shall be reinstated if the permit holder no longer holds a valid state license or federal permit or during any period during which such a license is under suspension.

Sec. 20-180. Enforcement.

Nothing in this Article shall serve as a limitation upon the enforcement authority granted to City law enforcement officials and the Code Enforcement Officer under 8 M.R.S. A. Section 223-A(9).

Sec. 20-181 – 20-185. Reserved

(Ord. of 12-5-2011)

City of Westbrook
IN CITY COUNCIL



December 5, 2011

ORDERED:

2011-183

AMENDING MASTER FEE SCHEDULE ESTABLISHING FIREWORKS LICENSE FEE

That the Westbrook City Council hereby approves the attached amendments to the Master Fee Schedule, establishing a licensing fee of \$1,250 annually

A TRUE COPY ATTEST:

Lynda Adams

LYNDA ADAMS
CITY CLERK, WESTBROOK, MAINE

DATED 12/6/11

First and Final Reading: December 5, 2011

Attest:

Lynda Adams

City Clerk

Colin Hill

Mayor
