

**THE CITY OF
EAST ORANGE, NEW JERSEY
ORDINANCE NO. 24 OF 2020**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE CITY OF
EAST ORANGE TO REGULATING THE USE OF FIREWORKS WITHIN THE CITY OF
EAST ORANGE**

SECTION ONE (New Section)

§ Chapter 147 **Fireworks Use Regulations**

Definitions

"Fireworks" include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing visible or an audible effect by combustion, explosion, deflagration or detonation, but shall not include sparkling devices and novelties.

"Sparkling Devices and novelties" mean:

- A. Wood Sticks or wire sparklers of not more than 100 grams of pyrotechnic mixture per item;
- B. Handheld or ground based sparkling devices which are non-explosive and non-aerial, which may produce crackling or whistling effect, and contain 75 grams or less of pyrotechnic composition per tube or a total of 500 grams or less for multiple tubes; and
- C. snakes and glow worms, smoke devices, and trick noisemakers, which include party poppers, snappers and drop pos, each consisting of 25/ 100 grams or less of explosive mixture.

§ Chapter 147-1 **Public Health Declaration**

The sale, use and possession of fireworks is hereby declared to be inimical to the safety and welfare of the residents of the City of East Orange.

§ Chapter 147-2 **Prohibitions on the Sale, Use and Possession of Fireworks**

The sale, use and possession of fireworks within the City of East Orange is hereby prohibited absent the issuance of a permit by the City of East Orange. This prohibition does not extend or apply to sparkling devices and novelties.

§ Chapter 147-3 The Permit Process

- 1 All such applications for permits shall set forth the name of the person authorized to purchase, or otherwise order, and receive delivery of any fireworks, the specific types or kinds of fireworks to be obtained and used, the date, the hour, place of making such display, and place of storing fireworks prior to the display and, further, the name or names of the person, persons, firm, partnership, corporation, association or group of individuals making the display; the name of the person, or persons, in charge of the igniting, firing, setting-off, exploding or causing to be exploded such fireworks. The location of the storage place shall be subject to the approval of the City of East Orange's director of public safety. In addition to the forgoing information, the City of East Orange's Director of Public Safety may require the submission of a site plan of the display area with a plan of discharge which shows the set-up, discharge, disposal of unused fireworks and emergency plan.
- 2 Once issued, a permit cannot be assigned or transferred.
- 3 All applications for permits shall be submitted to the City of East Orange's Public Safety Director. All applications shall be accompanied by a payment of \$300 which shall be either a check or money order. If the Public Safety Director concludes, within his sole discretion, that the display and/or discharge of fireworks will not present a danger to the public, the permit shall be issued
- 4 Before a permit can be granted, the City of East Orange may require the submission of a certificate of insurance that identifies the City of East Orange as an additional insured on the subject policy of insurance. The policy must be in an amount not less than five hundred thousand (\$500,000) dollars for each injury or claim and one million (\$1,000,000) per occurrence. The policy of insurance is subject to the approval of the City's Corporation Counsel.
- 5 Unused fireworks and any refuse generated in connection with the display or use of fireworks shall be promptly removed by the permit holder.
- 6 In addition, the seizure of fireworks, any person who sells, offers or exposes for sale, or possesses with intent to sell any fireworks as herein mentioned is guilty of a crime of the fourth degree which shall be referred to the Essex County Prosecutor's Office. Any person who purchases, uses, discharges, causes to be discharged, ignites, fires, or otherwise sets in action, or possesses any fireworks is guilty of a petty disorderly persons offense.

SECTION 2. Severability of Ordinance Provisions

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

SECTION 3. That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

SECTION 4. That this ordinance shall take effect upon final passage upon expiration of twenty (20) days following publication unless otherwise provided.