

Chapter 34 - FIRE PREVENTION AND PROTECTION

Sec. 34-1 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Fireworks means any explosive composition or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration or detonation, and shall include blank cartridges, toy cannons in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, sky rockets, Roman candles, sparklers, bombs or other fireworks of like construction and any fireworks containing any explosive compound; or any tablets or other device containing any explosive substance, or containing combustible substances producing visual effects. The term "fireworks" shall not include toy pistols, toy canes, toy guns, or other devices with paper or plastic caps containing 0.25 grains or less of explosive compound; provided, they are so constructed that the hand cannot come in contact with the cap when in place for the explosion.

Public displays of fireworks means a supervised showing for profit or nonprofit of fireworks for the purpose of producing a visible or audible effect to be viewed or heard by three or more individuals.

(Ord. No. 1995-10, § 8-1, 4-19-1995; Ord. No. 2006-15, 6-21-2006)

State Law reference — Similar provisions, 425 ILCS 35/1, 35/2.

Sec. 34-2 Handling of Fireworks Displays

Every fireworks display shall be handled by a competent individual. Such competent individual shall be so designated on the permit by the official granting the permit. The fireworks display shall be so located, discharged or fired, as not to be hazardous to property or endanger any person.

(Ord. No. 1995-10, § 8-2, 4-19-1995; Ord. No. 2006-15, 6-21-2006)

State Law reference — Similar provisions, 425 ILCS 35/2.

Sec. 34-3 Permit

- A. An application for the required permit shall be made in writing to the county clerk on forms provided by that office, at least 15 days in advance of the date of the display, and action shall be taken on such application within 48 hours after such application is made.
- B. Included with the application shall be a diagram of the location of the fireworks display area.
- C. Such permit shall be issued only after inspection of the display site by the chief of the fire department providing fire protection to the display area, or his/her designee.
- D. No permit granted by the county clerk shall be transferable.
- E. One copy of such permit shall be on file with the issuing officer, one copy shall be forwarded to the office of the state fire marshal, one copy shall be forwarded to the county sheriff's department, one copy shall be filed in the county board office and one copy shall be in the possession of the display supervisor.
- F. Permits may be granted to any group of three or more adult individuals who apply. The permit, if issued, shall contain the names of three adult applicants and shall be designated as licensees.
- G. No permit shall be required for supervised public displays by the county fair association, and those fireworks conducted by local government entities, such as cities, villages, state parks and fire districts.

- H. The applicants are required to post a bond in a sum not less than \$1,000.00, which is conditioned on compliance with the state statutes, this article and the regulation of the state fire marshal. Such bond can be a personal bond without sureties.
- I. The County Clerk shall collect a fee of \$25.00 for the issuance of each permit.
- J. The County may conduct a criminal background check of the applicant as a condition of issuing a permit.

(Ord. No. 1995-10, § 8-3, 4-19-1995; Ord. No. 2006-15, 6-21-2006)

State Law reference — Permits, 425 ILCS 35/2.

Sec. 34-4 Insurance

A person desiring the required fireworks permit shall submit proof of liability insurance coverage in the amount of \$1,000,000.00 (\$1 million), for aggregate bodily injury and \$150,000.00 for property damage for damages resulting from the fireworks display.

(Ord. No. 1995-10, § 8-4, 4-19-1995; Ord. No. 2006-15, 6-21-2006)

Sec. 34-5 Penalty

Any person who violates any portion of this article shall be punished as provided by section 5 of the Fireworks Use Act (425 ILCS 35/5).

(Ord. No. 1995-10, § 8-5, 4-19-1995; Ord. No. 2006-15, 6-21-2006)