

**BOROUGH OF LEWISBERRY  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2020-01**

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**AN ORDINANCE OF THE BOROUGH OF LEWISBERRY, YORK COUNTY,  
PENNSYLVANIA, AMENDING CHAPTER 13 PART 3 OF THE BOROUGH OF  
LEWISBERRY CODE OF ORDINANCES WITH RESPECT TO FIREWORKS**

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Chapter 13 Part 3 is hereby amended and restated to read as follows:

**§ 13-101. Intent.**

It is the intent of the Lewisberry Borough to protect the health, safety and welfare of the general public through limiting the use of fireworks. Fireworks by nature contain explosives which when misused can damage property and endanger human life. This Part will restrict the use of consumer fireworks by the general public and prohibit display fireworks.

**§ 13-302. Definitions.**

*Consumer fireworks.*

(1) Any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, is suitable for use by the public, complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16 CFR (relating to commercial practices) or any successor regulation and complies with the provisions for "consumer fireworks" as defined in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted throughout this Commonwealth.

(2) The term does not include devices as "ground and hand-held sparkling devices," "novelties" or "toy caps" in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth.

*Display fireworks.* Large fireworks to be used solely by professional pyrotechnicians and designed primarily to produce visible or audible effects by combustion, deflagration or detonation. The term includes, but is not limited to:

(1) salutes that contain more than two grains or 130 milligrams of explosive materials;

(2) aerial shells containing more than 60 grams of pyrotechnic compositions; and

(3) other display pieces that exceed the limits of explosive materials for classification as consumer fireworks and are classified as fireworks UN0333, UN0334 or UN0335 under 49 CFR 172.101 (relating to purpose and use of hazardous materials table).

**§ 13-303. Consumer Fireworks Restriction.**

From and after the adoption of this Part, consumer fireworks as defined herein are prohibited from being ignited or discharged on property owned by or under the control of the Borough of Lewisberry.

**§13-304. Display Fireworks.**

From and after the adoption of this Part, display fireworks shall be prohibited from being ignited or discharged within the Borough of Lewisberry:

This prohibition is based upon the fact that there is no private property within the Borough of Lewisberry from which display fireworks can be safely ignited and discharged in accordance with the National Fire Protection Association Standards, and because the Borough of Lewisberry does not permit display fireworks to be ignited and discharged on property owned by or under the control of the Borough of Lewisberry.

**§13-305. Violations.**

Any person violating any of the provisions of this Part and all persons in charge or standing in loco parentis to any child or children who have not arrived at the age of criminal responsibility and who have violated any provisions of this Part shall upon conviction thereof before the district magistrate be subject to a fine as set by resolution by Lewisberry Borough.

All Ordinances or parts of Ordinances inconsistent herewith shall be and are hereby repealed.

This Ordinance shall be effective immediately upon adoption.

**ENACTED AND ORDAINED** this 7<sup>th</sup> day of December, 2020.

**ATTEST:**

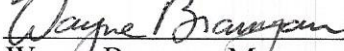
  
Secretary

**BOROUGH OF LEWISBERRY**

By: 

Patrick Groft,  
President, Borough Council

Approved this the 7<sup>th</sup> day of December, 2020.

By:   
Wayne Branyan, Mayor