

**APPLICATION TO OPERATE  
A PUBLIC FIREWORKS DISPLAY**

**F-04-**

The following information must be supplied to conform with the requirements of the Rules and Regulations of the State Fire Marshal for the Display of Fireworks. (See the attached Rules and Regulations for details.)

1. Application type:    Residential        Commercial

2. a. Applicant: \_\_\_\_\_

b. If a Contractor will be conducting your display list the name and address:  
\_\_\_\_\_

c. Person in charge of operating the display:

Name: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_ Age \_\_\_\_\_

Ht: \_\_\_\_\_ Wt: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Number of year experience: \_\_\_\_\_ Describe prior experience operating a fireworks display: \_\_\_\_\_  
\_\_\_\_\_

3. Date and time of display: \_\_\_\_\_

4. Fireworks being displayed are: (Check one)  
Class B \_\_\_\_ (A copy of your federal explosives permit must be submitted with this application.)  
Class C \_\_\_\_ (Commonly used: small roman candles, sky rockets, cylindrical and cone type foundations, wheels, firecrackers and similar devices.)  
Fireworks are categorized as explosives. Please describe the type of fireworks you will be displaying to include the number of each type.

\_\_\_\_\_  
\_\_\_\_\_

5. Manner and Place of Storage of fireworks prior to display:  
\_\_\_\_\_  
\_\_\_\_\_

6. The physical location of the fireworks display, use the E-911 address:  
\_\_\_\_\_

7. On the back of this application provide a diagram of the location of display. [See the attached Rules and Regulations, Application for Permit, #2(g) for instructions.]

**NOTICE:**

- This application shall be submitted at least fifteen (15) days in advance of the date of the display!
- The Barre Town Fire Chief, Chief of Police or their authorized designee(s), and the Board of Selectmen has the power to deny or place restrictions on any application. Such denial or restriction will be written and attached hereto as an amendment of the application. All departments will recommend approval prior to the Board of Selectmen issuing a fireworks display permit.
- The Police or Fire Chief may request the applicant publish a 3" x 4" advertisement in the Times Argus Newspaper in an effort to notify the general neighborhood where the fireworks display will take place. The advertisement will appear no earlier than 48 hours prior to the scheduled display date.
- A copy of the approved application and/or amendment will be kept at the Fireworks Display Site.
- Attached hereto is a copy of the Vermont Statutes Title 20 regarding Fireworks and the Rules and Regulations of the State Fire Marshall for the Public Display of Fireworks.
- The application fee of \$15.00, check or money order, made payable to the Town of Barre will be submitted with the application.

# Fireworks Display Application Continued:

## Sketch of Display Plan



The sketch will be a diagram of the grounds on which the fireworks display is to held and should include, but is not limited to: showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained, and the location of all nearby trees, telegraph or telephone lines or other overhead obstruction.

Date: \_\_\_\_\_

X \_\_\_\_\_  
Applicant Signature

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### FOR OFFICE USE ONLY:

Date Received \_\_\_\_\_

Initials \_\_\_\_\_

Amount Received \_\_\_\_\_

*Title 20*

**FIREWORKS**

**§ 3131. Definitions**

The term "fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, sky rockets, Roman candles, Daygo bombs, sparklers or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance, except that the term "fireworks" shall not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-hundredths grains of explosive mixture, the sale and use of which shall be permitted at all times.

Provided, however, that the term "fireworks," as herein used, shall not be held to mean and include fixed ammunition for firearms, and the primers therefor.

**§ 3132. Prohibitions; permits**

(a) Except as hereinafter provided it shall be unlawful for any person, firm, co-partnership, or corporation to offer for sale, expose for sale, sell at retail or wholesale, possess, use or explode any fireworks; and it shall also be unlawful for any person, firm, co-partnership, or corporation to transport fireworks except in interstate commerce.

(b) Provided, that the state fire marshal shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by municipalities, fair associations, amusement parks, and other organizations or groups of individuals.

(c) Every such display shall be handled by a competent operator to be approved by the chiefs of police and fire departments of the municipality in which the display is to be held and shall be of such a character, and so located, discharged or fired as, in the opinion of the chief of the fire department, or in towns where there is no fire department, the board of selectmen, after proper inspection, shall not be hazardous to property or endanger any person or persons.

(d) Application for permits shall be made to the chief of the fire department, or in towns where there is no fire department, the board of selectmen, in writing, at least fifteen days in advance of the date of the display. After such privilege shall have been granted, sales, possessions, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

**§ 3133. Permitted uses**

(a) Nothing in this subchapter shall be construed to prohibit: the use of fireworks by railroads, other transportation agencies, or law enforcement officers for signal purposes or illumination; the sale or use of blank cartridges for a show or theatre, for signal or ceremonial purposes in athletics or sports, or for use by military organizations; the use of explosives for blasting or similar purposes; the use of fireworks by farmers to control birds in crops.

(b) The state fire marshal shall have the power to adopt reasonable rules for the importation, sale, purchase and use of fireworks to be used solely for the purpose of frightening birds from crops. Application for permits for importation, purchase and use by farmers shall be made to the board of selectmen or town fire wardens of the town in which the farmer intends to use such fireworks for the sole purpose of frightening birds from crops. Permits shall be issued for such use only, at such times and such locations, as to present no fire or safety hazard within the area.—

**§ 3134. Seizure**

The state fire marshal, his deputy, a state police, a sheriff, a deputy sheriff, police officer or constable may seize such articles held by a person in violation of this subchapter and hold the same subject to the order of the court taking jurisdiction of the offense.

**§ 3135. Penalties**

Any person, firm, co-partnership, or corporation violating the provisions of this subchapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding \$100.00 or by imprisonment not exceeding thirty days or by both such fine and imprisonment.

**§ 3136. Construction**

Being in the interest of public safety the provisions of this subchapter shall be liberally construed.

RULES AND REGULATIONS OF THE STATE FIRE MARSHAL  
FOR THE PUBLIC DISPLAY OF  
FIREWORKS

**Application for Permits**

1. Application for permit to operate a public display of fireworks in conformance with the terms of No. 93 of the Acts of the 1953 General Assembly of the State of Vermont shall be made in writing to the chief of the fire department of the city, town or municipality in or near which the display is to be held. Or in towns where there is no fire department, application shall be made to the board of selectmen.

2. Such application shall set forth:

(a) The name of the organization sponsoring the display together with the names of persons actually in charge of the firing of the display.

(b) The date and time of day at which the display is to be held.

(c) The exact location planned for the display.

(d) A description setting forth the age, experience, and physical characteristics of the persons who are to do the actual discharging of the fireworks.

(e) The number and kinds of fireworks to be discharged.

(f) The manner and place of storage of such fireworks prior to the display.

(g) A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained, and the location of all nearby trees, telegraph or telephone lines or other overhead obstruction.

3. Upon receipt of such application at least fifteen (15) days in advance of the date set for the display, the chief of the fire department or the Board of selectmen, in case there is no fire department, shall make, or cause to be made, an investigation of the site of the proposed display for the purpose of determining whether the provisions of these regulations are complied with in the case of the particular display. They shall confer with the chief of the police department for the purpose of determining the competence of the actual operators of the display as set forth in the application. Being satisfied that the display is properly lawful, the chiefs of the police and fire departments, the board of selectmen of the town, as the case may be, shall issue a certificate of compliance signed by each, stating that they endorse the display as being in conformance with all parts of the law and with these regulations.

4. The certificate of compliance shall be sent to the clerk of the municipality who shall then, upon receipt of the public liability bond required by law, if such municipality requires such bond in such case, issue a non-transferable permit authorizing the display.

5. The chief of the fire department, the chief of the police department or board of selectmen shall have the power to deny any application for a permit to discharge fireworks in public display upon showing just cause for such denial.

**Conduct of Display**

6. Public display of fireworks shall be permitted only when the actual point at which the fireworks are to be fired is at least one hundred (200') feet from the nearest permanent building, public highway or railroad or other means of travel, or fifty (50') feet from the nearest above ground telephone or telegraph line, tree, or other overhead obstruction.

7. The audience at a public display of fireworks shall be restrained behind lines at least one hundred fifty (150') feet from the point at which the fireworks are discharged, and only persons in active charge of the display shall be allowed inside these lines.

8. All fireworks that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction, PROVIDED that where such fireworks are to be fired beside a lake or other large body of water they may be directed in such manner that the falling residue from the deflagration will fall into said body of water.

9. Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining.

10. No fireworks display shall be held during any wind storm in which the wind reaches a velocity of more than thirty (30) miles per hour. In such cases the chief of the fire department may authorize the display at a future date suitable to the association holding the display.

**Qualification of Operators**

11. The persons in actual charge of the firing of fireworks in a public display shall be able-bodied men of at least eighteen (18) years of age, and competent for the task.

12. There shall be at all times at least two (2) operators of the display constantly on duty during the discharge.

**General**

13. At least two soda-acid or other approved Class A type extinguishers of at least two and one-half (2½) gallons capacity each shall be kept at as widely separated points as possible within the actual area in which the discharging is being done.

14. All disputes arising as a result of the administration of these rules and regulations shall be referred to the state fire marshal, whose decision shall be the final authority in all cases.

(OVER)