

**APPLICATION TO OPERATE A FIREWORKS DISPLAY  
IN BARRE TOWN, VERMONT**

Fee: \$25.00

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The completed permit must be submitted to the Town Clerk's Office **at least 15 days prior to the display date**. All permit application information is in accordance with Vermont Statutes and the Town of Barre Selectboard policies governing a fireworks display. (See the attached documents for additional Rules and Regulations.)

1. **Application type:**     Residential         Commercial
  
2. a. **Applicant:** \_\_\_\_\_  
    Address: \_\_\_\_\_  
    Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_
- b. Person in charge of operating the display if different from Applicant:  
    Name: \_\_\_\_\_ Address: \_\_\_\_\_  
    \_\_\_\_\_ Age \_\_\_\_\_  
    Number of year experience: \_\_\_\_\_ Describe prior experience operating a  
    fireworks display: \_\_\_\_\_  
    \_\_\_\_\_
- c. If a Contractor will be operating your display list the name, address, and phone number:  
    \_\_\_\_\_

3. **Property/Landowner information:**
  - a. Property owner name as it appears on the title (deed):  
    \_\_\_\_\_
  - b. Contact information for property owner:  
    Mailing address: \_\_\_\_\_  
    Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

4. **Display information:**  
    Date of display: \_\_\_\_\_ Rain date: \_\_\_\_\_ Start time: \_\_\_\_\_  
    State the E-911 location (House #, street name) of where the fireworks display will be held:  
    \_\_\_\_\_

5. **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: commercial grade, small roman candles, sky rockets, cylindrical and cone type foundations, wheels, firecrackers and similar devices.)

Fireworks shall be stored in a locked dry, detached structure away from any dwellings and out of the reach of children Where will the fireworks be stored prior to the display?  
\_\_\_\_\_

6. On the back of this application **provide a diagram of the location of display.**

**NOTICE:**

- With input from the Barre Town Fire Chief, Chief of Police or their authorized designee(s), the Selectboard has the authority (by Vermont Statute and Barre Town policy) to deny or place restrictions on any application. Such denial or restriction will be written and attached hereto as an amendment of the application.
- The Selectboard may request the applicant/property owner publish a 3" x 4" advertisement in the Times Argus Newspaper or provide written notice to the general neighborhood as to when and where the fireworks display will take place. The advertisement or delivery of notices will be not less than 5 days 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 are copies of Vermont Statues Title 20, Sections 3131 thru 3135.

(OVER)

# Fireworks Display Application Continued:

Sketch of Display Plan

The sketch will be a diagram of the grounds on which the fireworks display is to be 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.

**The application fee of \$25.00, (check or money order made payable to the Town of Barre), will be submitted with the application.**

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

X \_\_\_\_\_  
Property Owner Signature

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

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

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**FOR OFFICE USE ONLY:**

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

Initials \_\_\_\_\_

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

VERMONT STATUTES ANNOTATED

TITLE 20, FIREWORKS

**§ 3131. Definitions**

The term "fireworks" means 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, including blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, balloons that are propelled by explosives, firecrackers, torpedoes, sky rockets, Roman candles, cherry bombs, 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 sparklers. The term "fireworks" does not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing 0.25 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 that contain less than 0.2 grains of explosive mixture. The term "fireworks" does not include fixed ammunition for firearms, or primers for firearms. The term "sparkler" means a sparkling item that is in compliance with the United States Consumer Product Safety Commission regulations and is one of the following:

- (1) A hand-held wire or wood sparkler that is less than 14 inches and has no more than 20 grams of pyrotechnic mixture.
- (2) A snake, party popper, glow worm, smoke device, string popper, snapper, or drop pop with no more than 0.25 grains of explosive mixture. (Amended 2003, No. 15, § 1, eff. May 6, 2003.)

**§ 3132. Prohibitions; permits**

(a) Except as provided in this section, it shall be unlawful for any person, firm, co-partnership, or corporation to do any of the following:

- (1) Offer for sale, expose for sale, sell at retail or wholesale, or possess fireworks unless the person has been issued a permit by both the U.S. Bureau of Alcohol, Tobacco, and Firearms and the municipality in which the person offers for sale and stores the fireworks.
- (2) Use, possess, or explode any fireworks unless the person has been issued a permit to display fireworks pursuant to subsection (c) of this section.
- (3) Transport fireworks except in interstate commerce.
- (4) Offer for sale or sell hand-held sparklers as described in subdivision 3131(1) of this title to a minor.
- (5) Offer for sale or sell sparklers that are not in compliance with the United States Consumer Product Safety Commission regulations.

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

(c) Any display for which a permit is issued 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 a character, and so located, discharged or fired as, in the opinion of the chief of the fire department, or in a municipality with no fire department, the selectboard, 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 municipalities with no fire department, the selectboard, in writing, at least 15 days in advance of the date of the display. After the permit has been granted, sales, possessions, use and distribution of fireworks for the display shall be lawful for that purpose only. No permit granted under this section shall be transferable. (Amended 2003, No. 15, § 2, eff. May 6, 2003; 2003, No. 122 (Adj. Sess.), § 294q; 2003, No. 122 (Adj. Sess.), § 294z, eff. April 1, 2005; 2005, No. 8, § 3, eff. April 25, 2005; 2009, No. 33, § 42.)

#### **§ 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. (Amended 1959, No. 147.)

#### **§ 3134. Seizure**

The state fire marshal, his or her 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 that:

(1) Violates this subchapter shall be guilty of a misdemeanor and subject to a fine of not more than \$100.00 for each violation or imprisoned for not more than 30 days or both.

(2) Presents an indoor firework display without first receiving a permit as required in this subchapter shall be guilty of a misdemeanor and shall be subject to a fine of not more than \$5,000.00 or imprisonment of not more than one year, or both. (Amended 1967, No. 345 (Adj. Sess.), § 30, eff. April 1, 1969; 2003, No. 15, § 3, eff. May 6, 2003.)