

Chapter 304

FIREWORKS

§304-1. Authority

This Ordinance shall be known and may be cited as the “Fireworks Ordinance” of the Town of Damariscotta, Maine. This Ordinance is pursuant to Maine Statute, §1. 8M.R.S.A. §221-A to §237, An Act To Legalize the Sale, Possession and Use of Fireworks.

§304-2. Purpose

The purpose of this Ordinance is to further the maintenance of safe and healthful conditions, the general welfare and to prevent injury from the careless use of consumer fireworks.

§304-3. Definitions

CONSUMER FIREWORKS: shall have the same meaning as provided in Title 8 M.R.S.A. §221-A. The term consumer fireworks does not include toy pistols, toy canes, toy guns or other devices in which paper caps or plastic caps containing 25/100 grains or less of explosive compound are used if they are constructed so that the hand cannot come in contact with the cap when in place for the explosion, toy pistol paper caps or plastic caps that contain less than 20/100 grains of explosive mixture, sparklers that do not contain magnesium chlorates or perchlorates or signal, antique or replica cannons if no projectile is fired.

§304-4. Regulation of Sale or Use of consumer Fireworks

(a) No person shall sell, possess with the intent to sell, or offer for sale consumer fireworks within the Town of Damariscotta or from any watercraft within the waters of the Town of Damariscotta.

(b) This Ordinance shall not apply to a person issued a fireworks display permit issued by the State of Maine pursuant to Title 8 M.R.S.A. §227-A.

(c) The use of consumer fireworks is prohibited in the area between School Street (west side of road) and the Damariscotta River from Castner Brook to Chase Point Road (north side of road).

§304-5. Severability

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

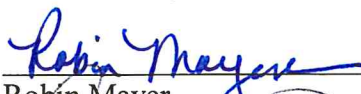
§304-6. Conflict with Other Ordinances

This Ordinance shall not repeal, annul, or in any other way impair the necessity of compliance with any other rule, regulation, bylaw or provision of the Federal, State or local government. But where this Ordinance imposes a greater restriction upon the use of materials land, buildings, or structures than other Damariscotta ordinances, this Ordinance shall control.

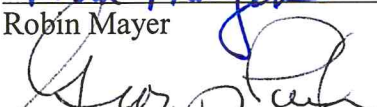
§304-7. Amendments

All changes and amendments to this Ordinance must be made at a regular or special Town Meeting of Damariscotta, by a majority of the governing body.

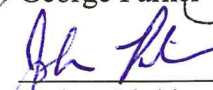
The enactment of this ordinance hereby revises the Fireworks Ordinance for the Town of Damariscotta, Maine as enacted on June 13, 2012.



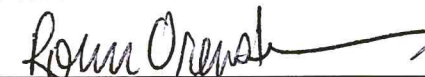
Robin Mayer



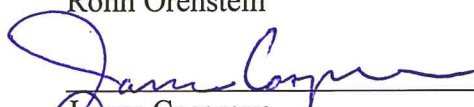
George Parker



Joshua Pinkham

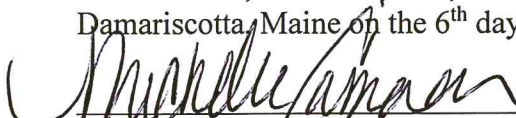


Ronn Orenstein



James Cosgrove

Attest: A true copy of an ordinance entitled "Fireworks Ordinance" for the Town of Damariscotta, Maine-June 15, 2016, as certified to me by the municipal officers of Damariscotta, Maine on the 6th day of July, 2016.



Michelle Cameron, Town Clerk
Damariscotta, Maine

Legislative History

Enacted June 13, 2012

Revised June 15, 2016; Effective July 1, 2016