



Town of Lincoln

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Town of Lincoln, New Hampshire Chapter 11

PERMISSIBLE FIREWORKS ORDINANCE

Use, Discharge and Possession of NH Permissible (Consumer) Fireworks

Any person wishing to discharge NH Permissible (Consumer) Fireworks shall obtain a written firework permit from the Fire Chief or his authorized designee. A permit shall be obtained before any discharge of permissible fireworks is to occur.

11.1.0 PROCEDURE TO OBTAIN A PERMIT:

- 11.1.1** The applicant shall appear in person before the Fire Chief, or his authorized designee.
- 11.1.2** The applicant shall provide proof that he, or she is the landowner of where the fireworks discharge is to occur, or has the landowner's written permission.
- 11.1.3** The applicant shall provide a valid photo identification, which also identifies the applicants address and date of birth.
- 11.1.4** The applicant shall be at least 21-years of age or older (NH RSA 160-C:11).
- 11.1.5** Fireworks shall be purchased from licensed Permissible Fireworks retailers in New Hampshire only (Copy of receipt required for permit).
- 11.1.6** The applicant shall only purchase the quantity of fireworks for the permitted display. Storage of Permissible fireworks is prohibited.
- 11.1.7** Fireworks shall not be ignited or possessed by minors (anyone under the age of 21).
- 11.1.8** Fireworks shall be ignited a minimum of fifty (50) feet from any structure, overhead utilities, woodlands, property lines, or boundaries.
- 11.1.9** The applicant is required to have a means of fire extinguishment readily accessible.
- 11.1.10** The permit shall be valid only for date it is issued.
- 11.1.11** Anyone discharging or igniting fireworks shall not be under the influence of any drugs or alcohol.
- 11.1.12** Permissible Fireworks shall only be discharged or used between the hours of 10:00 AM and 10:00 PM.

- 11.1.13 Permits will only be issued on days when the Fire Danger day is Class One or Two as determined by the New Hampshire Division of Forest and Lands Bureau of Forest Protection.
- 11.2.0 **ENFORCEMENT:**
- 11.2.1 The Fire Chief and, or his authorized designee reserve the right to inspect the permitted location and fireworks to be discharged at any time during the period for which the permit is issued. Failure to allow such an inspection shall result in the immediate revocation of the permit.
- 11.2.2 Failure to comply with any provision of this ordinance shall result in:
- a) **First Offense:** Written warning, and/or revocation of permit.
 - b) **Second Offense:** \$250 fine and revocation of permit
 - c) **Third Offense:** \$500 fine and revocation of permit; Persons violating this ordinance for a third (3rd) time will be prohibited from obtaining any further Permissible Fireworks Permits.
- 11.2.3 All fines shall be paid to the Town of Lincoln and deposited into the General Fund.
- 11.2.4 Any complaint received by the Town of Lincoln as the result of an issued permit shall be grounds for the revocation of the issued permit following an investigation conducted by any enforcement authority.
- 11.2.5 The applicant shall be responsible for reimbursing the Town of Lincoln for all costs associated with the mitigation of any fire or other emergency which is the result of the applicant's use of fireworks.
- 11.2.6 Any sworn law enforcement officer of the town, county, or state, as well as the Fire Chief and his/her designee shall be empowered to enforce this ordinance.
- 11.2.7 Persons found in possession of, or discharging Non-Permissible Fireworks shall be subject to the penalties outlined in the NH RSA 160-B. This section shall not apply to those individuals that hold valid Certificates of Competency issued by the NH Department of Safety and hold a valid Display Fireworks Permit issued in accordance with RSA 160-B, and SAF-C 5000, or any other ordinance. Nothing in this ordinance shall preclude any sworn police officer from enforcing any section of NH RSA 160-B or NH RSA 160-C.

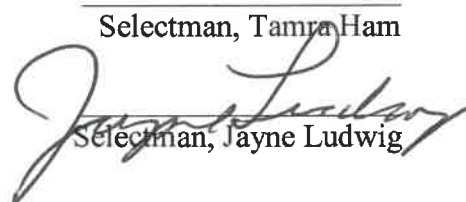
**BOARD OF SELECTMEN
LINCOLN, NEW HAMPSHIRE**

ORDINANCE REVIEWED AND APPROVED ON THIS 15TH DAY OF APRIL, 2019

By the Board of Selectmen of the
Town of Lincoln, New Hampshire


Chairman, OJ Robinson

Selectman, Tamra Ham


Selectman, Jayne Ludwig