

COMMONWEALTH OF KENTUCKY
WARREN FISCAL COURT
ORDINANCE NUMBER 13-34WC

**ORDINANCE RELATING TO THE USE OF
FIREWORKS IN WARREN COUNTY, KENTUCKY**

WHEREAS, the 2011 Kentucky General Assembly enacted House Bill 333 expanding the type of fireworks permitted to be sold and used within the Commonwealth of Kentucky; and,

WHEREAS, House Bill 333, which created a new section of KRS 227, specifically authorized local governments to enact Ordinances regulating the sale, use and storage of fireworks; and,

WHEREAS, the Magistrates of the Fiscal Court of Warren County hereby find and determine that it is in the best interest of the citizens of Warren County to establish reasonable regulations involving the use of fireworks within the County of Warren, Kentucky.

NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF WARREN COUNTY, KENTUCKY as follows:

Section I. Definitions

Unless the context requires otherwise, the following terms as used in this Subchapter shall have the following meanings:

"Competent Display Operator" shall have the same definition as set out in KRS Chapter 227.710.

"Consumer Fireworks" shall have the same definition as set out in KRS Chapter 227.702.

"Display Fireworks" shall have the same definition as set out in KRS Chapter 227.706.

"Fire Chief" shall mean the Chief of the Volunteer Fire Department in whose district the fireworks are located or to be located, sold or to be sold, stored or to be stored, exposed for

sale or kept with the intent to sell. A list of every Fire Chief and contact information may be obtained from the Warren County Judge-Executive's Office.

"Fireworks" shall have the same definition as set out in KRS Chapter 227.700, including the applicable exceptions set forth in that statute.

"Pyrotechnic Devices" shall have the same definition as set out in KRS Chapter 227.

Section II. Display Fireworks

a. No person, firm, partnership, corporation or other business entity shall offer for sale, expose for sale, sell at retail, keep with the intent to sell, possess, use or explode any display fireworks except as authorized in KRS 227.710.

b. The County Judge Executive may grant permits for supervised public displays of fireworks with such public displays handled by a competent display operator. The permit may only be issued to a competent display operator. All public displays must comply with the provisions of KRS 227.710 and no permit shall be approved without documentation that the display has been approved by the State Fire Marshal. The permit shall be valid only for the specific authorized public display event, shall be valid only for the designated permittee and shall not be transferable.

Section III. Sale and Use of Fireworks

a. No fireworks, including consumer fireworks, may be given to, offered for sale or sold to any person under the age of eighteen (18) and no person under the age of eighteen (18) shall sell fireworks, including consumer fireworks, unless the individual is supervised by a parent or guardian.

b. Persons may use, ignite, fire or explode those fireworks authorized by KRS Chapter 227 and this Subchapter in the County. Fireworks, including consumer fireworks, may only be used June 27th through July 3rd and on July 5th and July 6th between the hours of 10:00 a.m. and 11:00 p.m. On July 4th fireworks, including consumer fireworks, may be used between the hours of 10:00 a.m. until Midnight. Fireworks, including consumer fireworks, as defined in KRS 227.703 (2), (3) and (4) may only be used by individuals at least eighteen (18) years of age and shall not be ignited within two hundred (200) feet of any structure, vehicle or any other person. Fireworks, including consumer fireworks, shall not be ignited or discharged from a motor vehicle and shall not be ignited or discharged on property of another without the consent of the owner or occupant or on public property.

c. Any person wishing to use, ignite, fire or explode those fireworks authorized by KRS Chapter 227 on any other day may obtain a permit from the Warren County Judge Executive's Office. Said permit shall be granted conditioned upon the applicant complying with all laws surrounding the use of fireworks. The permit shall be requested no less than ten days prior to the proposed use date. The permit, if granted, shall be valid for a four (4) hour period on the permitted dates between the hours of 10:00 a.m. and 11:00 p.m.

Section VI. Penalties, Revocation or Suspension of Permit and Removal of Fireworks

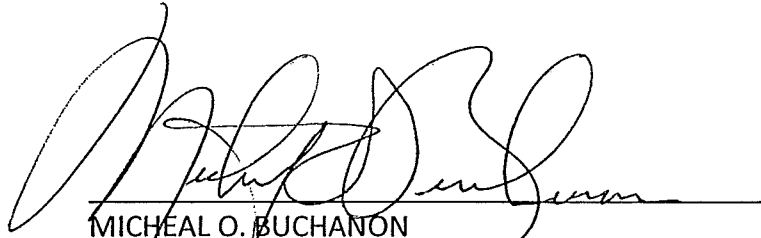
a. Any person convicted of violating this Ordinance shall be deemed guilty of a violation and subject to the monetary fine set out in the Kentucky Revised Statutes.


The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

All prior Orders, Resolutions or Ordinances or parts of any Order, Resolution or Ordinance in conflict herewith are hereby repealed.

This Ordinance is adopted pursuant to KRS 67.077 in that it was published in summary form on the 19th day of June, 2013, and was introduced and read on the 21st day of June, 2013 and given final reading on the 27th day of June, 2013, and said Ordinance shall be in full force and effect upon signature, recordation, and publication in summary pursuant to KRS Chapter 424 and KRS 67.777, subsection 3.


APPROVED this 27th day of June, 2013.


MICHEAL O. BUCHANON
WARREN COUNTY JUDGE-EXECUTIVE

ATTESTED:

BRENDA HALE
WARREN COUNTY FISCAL CLERK

PASSED BY A VOTE OF ___ TO ___.

APPROVED AS TO FORM AND LEGALITY:


AMY HALE MILLIKEN, WARREN COUNTY ATTORNEY

SPECIAL CONSUMER FIREWORKS DISCHARGE PERMIT

OFFICE: 270-843-4146

FAX: 270-781-2777

Proposed Location: _____

Date and Time: _____ (Between the hours of _____)

Responsible Party: _____ Telephone: _____

permit requirements established by: Kentucky State Law – KRS Chapter 227

. SHALL NOT BE IGNITED WITHIN 200 FEET OF ANY STRUCTURE, VEHICLE OR OTHER PERSON.

. SHALL NOT BE DISCHARGED ON PROPERTY OF ANOTHER WITHOUT WRITTEN CONSENT.

. SHALL NOT BE DISCHARGED ON PUBLIC PROPERTY, INCLUDING PUBLIC ROADWAYS.

. DISCHARGE ONLY OF CONSUMER FIREWORKS AS DEFINED BY KRS 227.702 (1), (2) AND (3).

. CONSUMER FIREWORKS AS DEFINED BY KRS 227.702 (2) AND (3) MAY ONLY BE USED BY INDIVIDUALS AT LEAST 18 YEARS OF AGE.

. PERMIT WILL BE REVOKED IF THERE IS FAILURE TO COMPLY WITH PROVISIONS OF THIS PERMIT.

Important: It is the responsibility of the applicant to ensure that any persons using or igniting the consumer fireworks authorized by this discharge permit is compliant with State Law.

The applicant agrees that the applicant and all other persons discharging consumer fireworks authorized by this discharge permit shall follow all laws, rules, regulations and conditions imposed by the Commonwealth of Kentucky. The applicant and other persons discharging consumer fireworks shall solely be responsible for any and all damages caused by the discharging of the consumer fireworks. The applicant acknowledges and agrees that the County shall not be responsible for any such damages and the applicant agrees to indemnify and hold the County, its officials, officers, agents and employees harmless from any claims that may ever be asserted arising from the discharge of consumer fireworks pursuant to this permit. The applicant further acknowledges and agrees that the approval of this discharge permit shall not be construed to create a co-partnership or joint venture by and between the County and the applicant or make the County, its officials, officers, agents or employees responsible in any way for any losses or damages caused by the actions of the applicant or other persons discharging consumer fireworks authorized by this discharge permit.

MICHAEL O. BUCHANON, JUDGE EXECUTIVE OF WARREN COUNTY

Responsible Party

State Fire Marshal Fireworks

Safety Tips, Regulations and Permitting

- Use fireworks outdoors only.
- Obey local laws. If fireworks are not legal where you live, do not use them.
- Always keep a bucket of water or a working water hose nearby.
- Only use fireworks as intended. Don't try to alter them or combine them.
- Never relight a "dud" firework. Wait 20 minutes and then soak it in a bucket of water.
- Use common sense. Spectators should keep a safe distance from the shooter and the shooter should wear safety glasses.
- Alcohol and fireworks do not mix. Have a "designated adult shooter."
- Do not use homemade fireworks or illegal explosives-- they can kill you!
- Report illegal explosives to the fire or police department in your community.
- Never allow children to play with or ignite fireworks.
- Read and follow all instructions on the label.



Quick Links

[Adobe Acrobat Reader](#)

Some documents on this page are in Adobe Acrobat (PDF) format. Please click on the link to download a free copy of Adobe Acrobat Reader.

[2012 Fireworks Safety News Release](#)

Fireworks Informational Bulletins

!E] Name

Public Display of Fireworks and Pyrotechnics
Firework Safes Bulletin April 2012

Fireworks Applications/Forms

10 Name

Application for Supervised Public Display of Fireworks
Application for Permit of Supervised Public Display of Pyrotechnics
Fireworks Registration Application - 2012
Plan Application Form Fireworks
Storage Notification of Consumer Fireworks- 2011

Office of the State Fire Marshall 101 Sea Hero Rd., Suite 100 | Frankfort, KY 40601
502-573-1702 (Telephone) | 502-573-1695 (Fax) | Shawwna.McMichael@ky.gov