

# COUNTY AND MUNICIPAL FIREWORKS ACT

## Section

11-3-1	Short title.
11-3-3.1	Definitions.
11-3-3.5	Licensing of retail sellers of fireworks - Permit required - Fee, insurance, or bond.
11-3-4	Enforcement - Seizure of fireworks sold unlawfully - Revocation of license.
11-3-8	Conflicting local ordinances prohibited.
11-3-10	Exemptions - Limitation on chapter.
11-3-11	Sale or use of unauthorized fireworks - Class B misdemeanor.

### **11-3-1. Short title.**

This chapter is known as the "County and Municipal Fireworks Act." **1993**

### **11-3-3.1. Definitions.**

The definitions in Section 53-7-202 apply to this chapter. **1993**

### **11-3-3.5. Licensing of retail sellers of fireworks -- Permit required -- Fee, insurance, or bond.**

(1) (a) A municipality or county may require a retail seller to obtain a license and pay a reasonable fee before selling class C common state-approved explosives within the jurisdiction of that municipality or county.

(b) A municipality or county may not restrict the number of licenses to be issued under this section.

(2) (a) A municipality or county shall require:

(i) a permit to discharge all display fireworks, special effects, and flame effects performances; and

(ii) evidence that the display operator, special effects operator, or flame effects operator who will set up and discharge the display has received a license from the State Fire Marshal Division, Department of Public Safety.

(b) A municipality or county may require a fee, insurance, or a bond before issuing a permit under this Subsection (2). **2010**

### **11-3-4. Enforcement -- Seizure of fireworks sold unlawfully -- Revocation of license.**

(1) Each county and municipal officer charged with the enforcement of state and municipal laws, including all fire enforcement officials and the State Fire Marshal Division of the Department of Public Safety, shall enforce this chapter and Sections 53-7-220 through 53-7-225, Utah Fireworks Act.

(2) Any official charged with enforcing this chapter and the Utah Fireworks Act may:

(a) seize display fireworks, fireworks, and unclassified fireworks that are offered for sale, sold, or in the possession of an individual in violation of this chapter or the Utah Fireworks Act; and

(b) recommend to the state fire marshal that each importer or wholesaler selling or offering to sell display fireworks, fireworks, or unclassified fireworks in violation of this chapter or the Utah Fireworks Act have his license revoked. **1993**

### **11-3-8. Conflicting local ordinances prohibited.**

A county, city, or town may not adopt an ordinance or regulation in conflict with Sections 53-7-220 through 53-7-225. **1993**

### **11-3-10. Exemptions -- Limitation on chapter.**

(1) This chapter does not apply to class A, class B, and class C explosives that are not for use in Utah, but are manufactured, stored, warehoused, or in transit for destinations outside of Utah.

(2) This chapter does not supersede Section 23-13-7, regarding use of fireworks and explosives by the Division of Wildlife Resources and federal game agents.

(3) Provided that the display operators are properly licensed as required by Section 53-7-223, municipalities and counties for the unincorporated areas within the county may conduct, permit, or regulate:

(a) exhibitions of display fireworks; or

(b) pyrotechnic displays held inside public buildings. **1993**

**11-3-11. Sale or use of unauthorized fireworks -- Class B misdemeanor.**

Any person who violates this chapter is guilty of a class B misdemeanor.