

# TOWN OF ENFIELD BOARD OF SELECTMEN

## POLICY FOR WHOLESALE/RETAIL SALES OF PERMISSIBLE FIREWORKS

### STATEMENT

#### AUTHORITY

In accordance with RSA Chapter 160-A (as amended), the Board of Selectmen as the governing body of the Town of Enfield hereby adopts this policy intended to regulate the sale of Class C "Permissible" fireworks as described in RSA 160-A:1,5, within the limits of the Town of Enfield.

Persons wishing to conduct the aforementioned retail/wholesale sales of Class C "permissible fireworks" shall obtain a permit from the Board of Selectmen prior to any such activities.

#### APPLICATION

Persons wishing to apply for a sales permit under this policy shall do so in writing to the Board of Selectmen on forms that may be prescribed by the Board. Completed applications shall be submitted to the Board of Selectmen no less than thirty (30) days prior to the desired date of proposed activity.

#### ELIGIBILITY REQUIREMENTS

All persons wishing to obtain a permit for the sale of Class C Permissible Fireworks shall in addition to applicable State and Federal regulations, conform to the following guidelines:

Under no circumstances shall the Board issue a permit for the retail/wholesale sales of these products by any individual under the age of twenty-one (21).

Persons wishing to obtain a permit for the retail/wholesale sale of Class C Permissible Fireworks must hold a Federal sales permit issued under USC Title 18. The permit shall not become valid until the applicant successfully obtains a sales license from the State of New Hampshire's Department of Safety.

## SITE LOCATION

Retail sales shall, only be conducted at such locations as listed upon the applicants federal license.

At no time shall the product be sold from temporary structures which are not those permanently affixed to the property (i.e., motor vehicles, trailers, campers, roadside stands, etc.).

Wholesale/retail sales locations must have successfully completed Site Plan Review with the Enfield Planning Board prior to approval of the requested permit. Sales will only be permitted from those sites which meet all applicable land use regulations.

All sales locations within the Town of Enfield must undergo physical inspection of the property by the Fire Chief or his/her designee prior to issuance of the actual permit and be in compliance with all applicable building, life and fire safety codes. The Fire Chief of the Town of Enfield retains the right to disapprove any site at any time due to the existence of safety/fire hazards.

The holder of this permit shall assume all responsibility for liabilities arising from the storage, sale and display of Class C Permissible Fireworks.

## CONDITIONS OF SALES

Persons permitted to sell Class C Permissible Fireworks (or their agents) must, prior to the sale, require the purchaser of these products to furnish photographic identification (State issued I.E. or Driver's license) indicating that they are at least 21 years of age. Persons engaged in the retail sales of Class C Permissible Fireworks shall not allow sales by persons (or their agents) who are under the age of eighteen (18).

No permits shall be issued under this policy for the retail/wholesale sales of Class C Permissible Fireworks when sales are to take place before 7:00 am. or after 9:00 pm.

All permits referenced herein shall be kept at the site permitted for sales and readily available for inspection by local authorities.

Applicants are expected to comply with all provisions of applicable Federal and State Regulations (Chapter 160-B).

## DURATION

Permits issued by the Board of Selectmen for this purpose will be issued on an annual basis and expire at the end of the calendar year.

## FEES

An annual fee shall be assessed by the Board of Selectmen for said permit. The permit fee shall be \$500.00 until such time as amended by the Board.

## REVOCATION


The Board of Selectmen shall have the authority to revoke any permits pertaining to Class C Permissible Fireworks. Any violation of the above terms shall be deemed sufficient reason for revocation without a refund of the required fees paid.

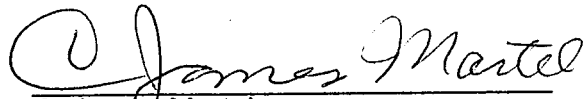
Any appeal of a permit revocation must be made to the Board of Selectmen in writing, indicating the reason to reconsider the action of the Board. This submission must be made to their office within five (5) calendar days of revocation. The Board will convene to consider the appeal within ten (10) calendar days of the receipt of an appeal.

The sale of Class C Permissible Fireworks without or after the revocation of a permit from the Town of Enfield is subject to criminal prosecution and penalty under State statute.

Given under our hands this eighth day of June, 1992.

  
Donald J. Crate, Chairman

  
Nickolas M. Loupis

  
C. James Martel  
Enfield Board of Selectmen