



Town of Princeton
FIREWORKS ORDINANCE

Purpose

The purpose of this Ordinance is to protect, preserve and promote the health, safety, welfare, comfort and prosperity of the citizens and residents of the Town of Princeton through regulation of the use, discharge, and display of fireworks.

Administration

The Town of Princeton Police Department shall be responsible for the administration and enforcement of this Ordinance, and in some cases, include the consent and advice of the Princeton Volunteer Fire Department Fire Chief, and/or the Chief's delegate.

Prohibitions

The Town of Princeton chooses to abide by North Carolina General Statute (NCGS) as it relates to fireworks; specifically, the language as stated in NCGS Chapter 14, Article 54. The Town of Princeton does not recognize any permitting body or permit(s) outside of this municipality. All fireworks displays must be approved by the Town of Princeton prior to seeking Johnston County permits and approvals. The Town of Princeton has the right to revoke any Town-issued firework(s) permit, at any time, for any cause. Reasons may include, but are not limited to:

- Public Safety Concerns
 - North Carolina Forestry Service issuance of fire bans as referenced in G.S. § 106-946
- Misrepresentation from the permit application process
- Misuse of Fireworks
- Improper notification to residents
- Underage Possession of Fireworks (G.S. § 14-410)

Exceptions

The following shall be considered an exception and shall be exempt from the provisions of this Ordinance:

- Professional /Commercial/Bulk Firework displays for public consumption and viewing are permissible in the Town of Princeton and its extra territorial jurisdiction (ETJ), but only after a Firework Display Permit has been successfully obtained from the Town. The cost of this permit is \$50 per display.
 - Town of Princeton does allow for discounts when multiple fireworks display permit(s) are being sought by a single entity. Permits in this category are only allowed in 4 Month increments.
- Permit Applicants/Applications must demonstrate the following:



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- Complete the Town of Princeton Fireworks Display Application ([Fillable / Print-Only](#))
 - Applications must be submitted no less than 30 days prior to the date of display
 - Applications must have property owner's signature and/or letter of support
 - Provide a Bond or Certificate of Insurance with a minimum of \$500,000.
 - Provide a Valid Copy of Operator's License issued by the North Carolina Office of the State
 - Fire Marshal - Pyrotechnic. The Office of the State Fire Marshal is a section within the North Carolina Department of Insurance.
 - For outdoor displays, applications shall include a diagram of the location at which the display will be conducted that shows the site from which fireworks will be discharged, the locations of building, highways, overhead obstructions and utilities; as well as the lines behind which the audience will be restrained.
 - Diagrams must include distances from structures mentioned in this ordinance
 - List of provisions for adequate fire protection.
 - List of names of parties responsible for crowd control.
 - List of names and ages of operator assistants who have been fully trained in the proper performance of their tasks.
 - List of the names of the assistants who will be conducting inspection of the fall-out area after display before allowing public access.
 - One copy of instructions for each type of fireworks displayed and approximate number discharged.
 - The name, address, and phone number of the individual, group, or organization sponsoring the outdoor fireworks display.
 - Successful applicants will then need to complete the following:
 - Provide proof of successful permitting from the Johnston County Building Inspections for fireworks to the Town of Princeton Town Hall.
 - Provide a "7 day prior" notification to residents/businesses within a 1500ft radius of the discharge location, for each display. Information should include expected dates, times, length of display, length of noises, etc. Copies of notice(s) should be filed with the Town of Princeton Town Hall, each time. Social media may be used, but cannot be the sole mode of notification. Failure to make the aforementioned notifications may result in permits being revoked.
 - It shall be unlawful to utilize any fireworks within 500 feet of a residential/nonresidential structure, commercial structure, church, school or daycare during respective normal hours of activity.
 - It shall be unlawful to use any level of fireworks between the hours of 10PM and 8AM aside from proper permitting or as stated in the following items listed below.



- Individuals may put on firework display on the holidays listed below provided the following items listed below have been met.
 - The discharge of fireworks must cease no later than 10PM, on Independence Day, July 4th, annually.
 - The discharge of fireworks must cease no later than 12:30AM, on New Year's Eve, January 1st, annually.
 - Shells may not exceed consumer grade standards, which is typically 1-3/4" in diameter and smaller, and should not exceed 200ft at height of the detonation.
 - The legal limit of explosive material in a consumer grade (1.4G or Class C) firework is 50mg (about the size of half an aspirin tablet). Any item containing more than 50 mg is illegal and should be avoided.
 - Persons or parties choosing to discharge fireworks shall be fully responsible for damages to neighboring properties, homes, structures, etc.
 - Persons or parties choosing to discharge fireworks shall be fully responsible for the cleanup after displays within 48hrs of completion of fireworks display.

Penalty

- (A) Upto, and include, civil and criminal penalties for violations. This may include G.S. § 58-82A and G.S. § 14-410
- (B) Any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$500 or imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense. (G.S. § 14-4(a))
- (C) (1) Violation of any provision of this code or any other town ordinance shall subject the offender to a civil penalty to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within a period of time prescribed by the court after he or she has been cited for the violation.
 - (2) Any provision of this code or any other town ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the town for equitable relief that there is an adequate remedy at law.
 - (3) Any provision of this code or any other town ordinance that makes unlawful a condition



existing upon or use made of real property may be enforced by injunction and order of abatement, and the general court of justice shall have jurisdiction to issue the orders. When a violation of such a provision occurs, the town may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular. In addition to an injunction, the court may enter an order of abatement as a part of the judgment in the cause. An order of abatement may direct that buildings or other structures on the property be closed, demolished or removed; that fixtures, furniture or other movable property be removed from buildings on the property; that grass and weeds be cut; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with this code or the ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he or she may be cited for contempt and the town may execute the order of abatement. The town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and materialman's lien. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the clerk of superior court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within a time fixed by the judge. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

(4) The provisions of this code and any other town ordinance may be enforced by any one, all or a combination of the remedies authorized and prescribed by this section.

(5) Except as otherwise specifically provided, each day's continuing violation of any provision of this code or any other town ordinance shall be a separate and distinct offense. (Prior Code, §1

Statutory reference:

Enforcement of ordinances, see G.S. § 160A-175

Definitions

Fireworks - a device containing gunpowder and other combustible chemicals that causes a spectacular explosion when ignited, used typically for display or in celebrations: The Town of Princeton legal limit of explosive material in a consumer grade (1.4G or Class C) firework is 50 mg (about the size of half an aspirin tablet). Any item containing more than 50 mg is illegal and should be avoided. Explosives or aerial fireworks, Roman candles, and rockets and/or similar devices that detonate up high in the air typically over 25' in height. This list requires a permit from the Town of Princeton and Johnston County.



DONALD B. RAINS
MAYOR

MICHAEL KING
TOWN ADMINISTRATOR

Fireworks Exempt from Permitting: Sparklers, fountains, smoke devices, snake and glow worms, trick noisemakers such as party poppers, string poppers or snappers, and toy pistol caps. These displays typically do not exceed 25' in height when ignited.

Adopted this 2nd day of October, 2023.

Donald B. Rains, Mayor

Attest

April Williamson, Town Clerk

