



Sec. 42-66. - Consumer fireworks.

Except as expressly permitted by state law or as otherwise provided herein, the discharge of consumer fireworks within the city at other than permitted events shall be unlawful.

- (a) All words or phrases specifically defined in O.C.G.A. § 25-10-1 and used herein shall have the definition attributed to such word or phrase as provided in O.C.G.A. § 25-10-1 et seq. Consumer fireworks may only be used and sold as provided in the provisions of O.C.G.A. § 25-10-1 and except as otherwise provided herein.
- (b) Any producer of an event desiring to conduct a public display of fireworks shall first obtain a permit from the judge of the probate court of Chatham County in accordance with the provisions set forth under state law. A special use permit shall be required for anyone seeking to ignite or cause to be ignited consumer fireworks beyond the time within which fireworks may be used under state law or outside of the time limits established under state law. Fireworks may not be used when pursuant to O.C.G.A. § 25-10-2(b)(3)(E) the governor has declared a prohibition on use due to draught conditions. Further, fireworks may be lawfully used from 10:00 a.m. up to and including 11:59 p.m. on any day unless during such times the noise from such use or ignition is not in compliance with the city noise ordinance. Additionally, state law permits the use of fireworks on January 1, the last Saturday and Sunday in May, July 3, July 4, the first Monday in September, and December 31 of each year after the time of 10:00 a.m. and up to and including the time of 11:59 p.m. and on January 1 of each year beginning at the time of 12:00 midnight and up to and including the ending time of 1:00 a.m.
- (c) Consumer fireworks may not be used indoors or within the right-of-way of any public road, street, or highway, or in any other location specifically prohibited by state law and, further, may not be used, ignited, or caused to be ignited on any property wherein its use has not been authorized by the property owner or individual or entity in control thereof, including the property of the city.
- (d) Consumer fireworks may not be used within 100 yards of a facility engaged in retail gasoline sales or storage or any facility engaged in producing, refining, processing or blending any flammable liquid or gas(es) for sale or within 100 yards of any electric substation.
- (e) Consumer fireworks may not be used, ignited, or caused to be ignited in Jaycee Park, Memorial Park, the beach of the city, or any other property, including but not limited to any park, historic site, recreational area or other property owned, operated by, and/or under the control of the city unless a special use permit therefor has been granted. Special use permits shall require a fee of \$100.00.
- (f) Consumer fireworks may not be used, ignited, or caused to be ignited by any person under the influence of alcohol or any drug or any combination thereof to the extent that it is less safe or unlawful for such person to ignite consumer fireworks or as provided in O.C.G.A. § 25-10-2.1.
- (g) It shall be unlawful to use, ignite, or cause to be ignited any consumer fireworks within 100 yards of a nursing home. This prohibition shall not apply to the owner or operator of a nursing home facility.

- (h) It shall be unlawful to use, ignite, or cause to be ignited any consumer fireworks in such a manner as to endanger the safety of life, limb, health or property of any person.
- (i) Every licensed distributor selling consumer fireworks pursuant to this Code section shall have within the retail display area all signs and information required under state law as now exists or as hereinafter amended. Such signs shall include the permissible days and times for the use or ignition of consumer fireworks as provided herein and as provided by state law.

(Ord. No. [14-2017](#), § 1, 12-14-2017; Ord. No. [02-2019](#), §§ 1, 2, 3-28-2019)