

1 MARIPOSA COUNTY ORDINANCE NO. 459

2 AN ORDINANCE ESTABLISHING PREVENTION AND CONTROL
3 OF PYROTECHNICS IN THE COUNTY OF MARIPOSA

4 The Board of Supervisors of the County of Mariposa do
5 ordain as follows:

6 CHAPTER I

7 SECTION 1. TITLE. This ordinance shall be known as the
8 "Pyrotechnics Ordinance" of the County of Mariposa and may be cited
9 as such.

10 SECTION 2. PURPOSE. This ordinance is enacted for the
11 public need in the preventing, eliminating, or minimizing of the
12 hazards related to the use of pyrotechnics and for the safety of
13 life and property in the County of Mariposa.

14 This ordinance shall be in addition to the measures of
15 fire prevention as set forth in County ordinances and the laws and
16 regulations of the State of California and the United States.

17 SECTION 3. ENFORCEMENT DUTIES.

18 a. It shall be the duty of the County Fire Warden to
19 enforce the various provisions of this ordinance and any subsequent
20 ordinances amending the same and all orders and ordinances of the
21 Board of Supervisors and laws of the State of California relating
22 to:

- 23 (1) The prevention and suppression of fires.
24 (2) Storage and use of flammable material and pyro-
25 technics.

26 SECTION 4. PERMITS.

27 a. The Board of Supervisors and the County Fire Warden
28 are hereby authorized and empowered to issue permits and certificates

1 of approval required by this Code; and it shall be the duty of the
2 County Fire Warden or, in the absence of a County Fire Warden, the
3 Board of Supervisors, to issue such permits and certificates of
4 approval when such issuance will not unduly endanger life or pro-
5 perty.

6 b. No permit issued under the provisions of this Code
7 shall release any person from any liability, civil or criminal.

8 SECTION 5. ILLEGAL FIREWORKS. Except as hereinafter
9 otherwise provided in Sections 6 and 7, it shall be unlawful for
10 any person to sell, offer for sale, have in his possession, fire,
11 set off, discharge, or use, or to cause or permit to be sold,
12 offered for sale, had in possession, fired, set off, discharged,
13 or used, any firecracker or salute of any size, kind, nature, or
14 name, bomb, chaser, skyrocket, Roman candle, triangle wheel, pin
15 wheel, mine, balloon operated by means of any flame, or any fire-
16 works or other device commonly used for display or celebration
17 purposes which contains any phosphorus in any form, or which con-
18 tains any dynamite, or any form of nitroglycerine, or any explosive
19 substance so confined as to cause detonation upon being discharged,
20 or any product which is of a similar nature to any article or pro-
21 duct hereinabove enumerated, or any article or product of a flam-
22 mable nature or capable of causing conflagration and which is
23 commonly used for display or celebration purposes; provided, how-
24 ever, that nothing in this section shall prohibit selling, offering
25 for sale, possession, firing, setting off, discharging or use of
26 any paper cap used in toy cap pistols.

27 SECTION 6. MANUFACTURE/JOBBER. Upon the issuance of a
28 permit by the Board of Supervisors, it shall be unlawful to engage

1 in the manufacturing, jobbing, or dealing in any article or product
2 named or described in Section 5 in the event that such article or
3 product is sold or offered for sale solely for delivery and use
4 outside of the unincorporated territory of the County of Mariposa,
5 and in the further event that any such article or product so sold
6 is delivered by such manufacturer, jobber, dealer, or common carri-
7 er to such point of delivery.

8 SECTION 7. PUBLIC DISPLAY. Nothing in the Code shall
9 prohibit any discharge or display of fireworks at any public gath-
10 ering, provided that a permit so to do has first been obtained from
11 the County Fire Warden or the Board of Supervisors. No such permit
12 shall be granted for any such public display unless for a location
13 where the falling of any lighted fireworks or objects would not
14 endanger buildings, structures, vehicles, forest, brush, or grass-
15 covered land, or unless the discharge of fireworks is under the
16 direct supervision of a capable experienced person, or provision
17 is made of fire extinguishment appliances satisfactory to the
18 County Fire Warden or the Board of Supervisors.

19 SECTION 8. This ordinance shall take effect immediately
20 as an emergency measure, and a true copy thereof shall be published
21 in the MARIPOSA GAZETTE within fifteen (15) days.

22 PASSED AND ADOPTED by the Board of Supervisors of the
23 County of Mariposa this 28th day of June, 1977, by the following
24 vote:

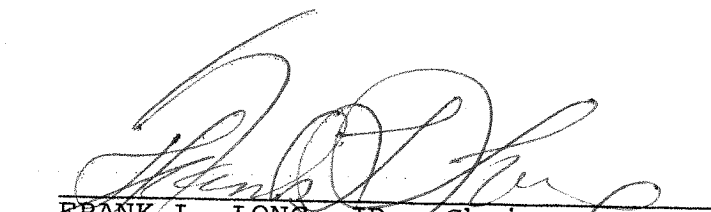
25 AYES: Clark, Dalton, Long, Walton, Owings

26 NOES: None

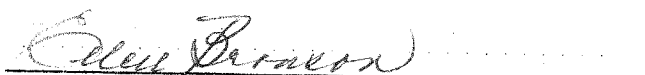
27 NOT VOTING: None

28 ABSENT: None

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


FRANK L. LONG, JR. Chairman
Board of Supervisors

ATTEST:


ELLEN BRONSON, County Clerk and
Ex-Officio Clerk of the Board