

## **Boynton Beach Code of Ordinances, Part II, Chapter 15**

### Sec. 15-5. Fireworks displays.

- (a) *Permit required.* Fireworks displays shall be lawful only if held and conducted in accordance with permits issued pursuant to this section.
- (b) *Permit application.* Application for a permit for a fireworks display shall be made in writing to the city manager at least fifteen (15) days in advance of the date of the display.
- (c) *Application referral.* The application for a permit hereunder shall be referred by the city manager to the chiefs of the police and fire departments.
- (d) *Conditions for issuance.* No permit required by this section shall be granted unless the operator is approved by both the chiefs of the police and fire departments, or unless the chief of the fire department finds that the display is of such a character and is so located, and that the fireworks will be discharged or fired, so as not to be hazardous to property or endanger any person.
- (e) *Permits not transferable.* Fireworks display permits shall not be transferable.

(Code 1958, § 17-15)

## **Boynton Beach Code of Ordinances, Part II, Chapter 9**

### Sec. 9-15. Fireworks.

- (a) The term *fireworks* shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, as defined by F.S. Ch. 791.
- (b) The Fire Marshal may adopt reasonable rules and regulations for the granting of permits for supervised displays of fireworks by the city, fair associations, civic groups, and other organizations or groups of individuals. Prior to any outdoor use of fireworks, pyrotechnic special effects, flame effects, or any other item listed in subsection (a) or (b) of this section, a permit shall be obtained from the City Manager, or designee, after submission of an application for such permit and payment of an application fee. Such outdoor use shall be in accordance with NFPA Code 1123 and NFPA Code 1124. The City Manager, or designee, may include such conditions in such permit as deemed necessary to ensure compliance with all applicable requirements and protect the public health, welfare and safety, including, but not limited to, payment of inspection fees. No permit granted hereunder shall be transferable.

(c) Before the issuance of a permit for a display of fireworks, the applicant shall furnish proof of financial responsibility, in the form of liability insurance with a minimum of one million dollars (\$1,000,000.00) coverage for each occurrence to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of the applicant, or any agent of employee thereof, in such amount, character and form as the Fire Marshal determines to be necessary for the protection of the public.

(d) No permit shall be issued under the provisions of this section to an applicant not having an established place of business within the state for conduct of a display of fireworks until the applicant has fulfilled the legal requirements for service of process upon the person or entity seeking a permit. In the case of a corporation, proof of registration, with the Secretary of State, as a nonresident corporation shall be required.

(e) During times of water shortages or water shortage emergencies, as determined by the South Florida Water Management District and/or the city and defined in Chapter 40E-21, Florida Administrative Code, as it may be amended from time to time; the possession, use, or sale of consumer fireworks, including sparklers as defined in F.S. § 791.01(8), is prohibited within the city limits without a permit as discussed above.

(Ord. 18-008, § 3, 5-1-18; Ord. 20-036, § 2, 11-4-20)