

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1316

Short Title: City Regulate Fireworks.

(Local)

Sponsors: Representative McGee.

Referred to: Local Government I.

May 26, 1992

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE REGULATION OF THE USE AND DISCHARGE OF
PYROTECHNICS IN NASH AND EDGECOMBE COUNTIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-410 reads as rewritten:

"§ 14-410. Manufacture, sale and use of pyrotechnics prohibited; public exhibitions permitted; common carriers not affected.

It shall be unlawful for any individual, firm, partnership or corporation to manufacture, purchase, sell, deal in, transport, possess, receive, advertise, use or cause to be discharged any pyrotechnics of any description whatsoever within the State of North Carolina: provided, however, that it shall be permissible for pyrotechnics to be exhibited, used or discharged at public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations: provided, further, that the use of said pyrotechnics in connection with public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, shall be under supervision of experts who have previously secured written authority from the board of county commissioners of the county in which ~~said~~ the pyrotechnics are to be exhibited, used or ~~discharged~~: discharged, unless the pyrotechnics are to be exhibited, used or discharged within the corporate limits of a municipality in the county. provided, If the pyrotechnics are to be exhibited, used, or discharged within the corporate limits of a municipality, then written authority shall be secured from the governing body of that municipality. As used in this section 'municipality' is any incorporated city having a population greater than 25,000 persons according to the most recent federal census. Provided, further, that it shall not be

1 unlawful for a common carrier to receive, transport, and deliver pyrotechnics in the
2 regular course of its business."

3 Sec. 2. G.S. 14-413 reads as rewritten:

4 "**§ 14-413. Permits for use at public exhibitions.**

5 (a) Except as provided in subsection (b), for ~~For~~ the purpose of enforcing the
6 provisions of this article, the board of county commissioners of any county ~~are hereby~~
7 ~~empowered and authorized to~~ may issue permits for use in connection with the conduct of
8 public exhibitions, such as fairs, carnivals, shows of all descriptions and public
9 exhibitions, but only after satisfactory evidence is produced to the effect that said
10 pyrotechnics will be used for the aforementioned purposes and none other.

11 (b) For the purpose of enforcing the provisions of this article, if pyrotechnics are
12 to be exhibited, used, or discharged within the corporate limits of a municipality in the
13 county, the governing body of that municipality may issue permits for use in connection
14 with the conduct of public exhibitions after receiving satisfactory evidence that the
15 pyrotechnics will be used only for the purposes allowed by this article.

16 (c) As used in this section, 'municipality' is any incorporated city having a
17 population greater than 25,000 persons according to the most recent federal census."

18 Sec. 3. This act applies only to Nash and Edgecombe Counties.

19 Sec. 4. This act is effective upon ratification.