

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE DRH60044-LM-12 (12/06)**

Short Title: Roanoke Rapids Pyrotechnics. (Local)

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Sponsors: Representatives L. Allen, Bryant, and Wray (Primary Sponsors).

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Referred to:

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A BILL TO BE ENTITLED

AN ACT PROVIDING THAT THE GOVERNING BODY OF THE CITY OF ROANOKE RAPIDS MAY AUTHORIZE THE USE OF PYROTECHNICS WITHIN THE CORPORATE LIMITS OF THE CITY AND MAY ISSUE PERMITS FOR THE USE OF PYROTECHNICS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-410(a) reads as rewritten:

"(a) 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 concerts or 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 pyrotechnics are to be exhibited, used or ~~discharged~~discharged, except that if the pyrotechnics are to be exhibited, used, or discharged within the corporate limits of the City of Roanoke Rapids, written authority shall be secured from the governing body of the City of Roanoke Rapids. Written authority from the board of commissioners is not required, however, for a concert or public exhibition authorized by The University of North Carolina or the University of North Carolina at Chapel Hill and conducted on lands or buildings in Orange County owned by The University of North Carolina or the University of North Carolina at Chapel Hill, but such exhibition, use, or discharge of pyrotechnics shall be under supervision of experts who have previously secured written authority from The University of North Carolina or the University of North Carolina at Chapel Hill. Notwithstanding any provision of this section, it shall not

1 be unlawful for a common carrier to receive, transport, and deliver pyrotechnics in the  
2 regular course of its business. The requirements of G.S. 14-413(b) and G.S. 14-413(c)  
3 apply to this section."

4 **SECTION 2.** G.S. 14-413 reads as rewritten:

5 "**§ 14-413. Permits for use at public exhibitions.**

6 (a) ~~For~~ Except as provided in subsection (a1) of this section, for the purpose of  
7 enforcing the provisions of this Article, the board of county commissioners of any  
8 county may issue permits for use in connection with the conduct of concerts or public  
9 exhibitions, such as fairs, carnivals, shows of all descriptions and public  
10 exhibitions, celebrations, but only after satisfactory evidence is produced to the effect  
11 that said pyrotechnics will be used for the aforementioned purposes and none other.  
12 Provided that no such permit shall be required for a public exhibition authorized by The  
13 University of North Carolina or the University of North Carolina at Chapel Hill and  
14 conducted on lands or buildings in Orange County owned by The University of North  
15 Carolina or the University of North Carolina at Chapel Hill.

16 (a1) For the purpose of enforcing the provisions of this Article, if pyrotechnics are  
17 to be exhibited, used, or discharged within the corporate limits of the City of Roanoke  
18 Rapids, the governing body of the City of Roanoke Rapids may issue permits for use in  
19 connection with the conduct of concerts or public exhibitions after receiving satisfactory  
20 evidence that the pyrotechnics will be used only for the purposes allowed by this  
21 Article.

22 (b) ~~For any indoor use of pyrotechnics at a concert or public exhibition, the board~~  
23 ~~of commissioners governing body of the City of Roanoke Rapids~~ may not issue any  
24 permit unless the local fire marshal or the State Fire Marshal (or in the case of The  
25 University of North Carolina or the University of North Carolina at Chapel Hill it may  
26 not authorize such concert or public exhibition unless the State Fire Marshal) has  
27 certified that:

28 (1) Adequate fire suppression will be used at the site.

29 (2) The structure is safe for the use of such pyrotechnics with the type of  
30 fire suppression to be used.

31 (3) Adequate egress from the building is available based on the size of the  
32 expected crowd.

33 (c) The requirements of subsection (b) of this section also apply to any city  
34 authorized to grant pyrotechnic permits by local act and to the officer delegated the  
35 power to grant such permits by local act."

36 **SECTION 3.** This act applies to the City of Roanoke Rapids only.

37 **SECTION 4.** This act is effective when it becomes law.