

SANGAMON COUNTY, ILLINOIS

---

ORDINANCE  
NUMBER 18-10

---

**AN ORDINANCE AMENDING THE VILLAGE CODE PROVISIONS TO ALLOW THE  
PERMITTING OF FIREWORK DISPLAYS**

---

DAVE KIMSEY, Village President  
AMY DAHLKAMP, Village Clerk

TERRY FOUNTAIN  
BRETT GERGER  
NINA LINDHORST  
RYAN MANN  
MATT MAU  
PAUL SCHERSCHEL  
Village Trustees

---

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham  
on February 27, 2018

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

**ORDINANCE NO. 18- (0**

**AN ORDINANCE AMENDING THE VILLAGE CODE PROVISIONS TO ALLOW THE PERMITTING OF FIREWORK DISPLAYS**

**WHEREAS**, the Village of Chatham (“Village”), Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code; and

**WHEREAS**, the Pyrotechnic Use Act, 425 ILCS 35/2, authorizes municipalities to adopt reasonable rules and regulations for the granting of permits for pyrotechnic and consumer displays; and

**WHEREAS**, the Village Board deems it necessary and in the best interest of the public to enact provisions establishing such rules and regulations for the granting of such permits so long as such displays are not hazardous to property or dangerous to any person or persons and are otherwise in compliance with the law;

**WHEREAS**, to effectuate the rules and regulations the Village Board desires to amend the Village Code by amending the provisions in Chapter 97 on Fireworks.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Chatham, County of Sangamon, as follows:

**Section 1.** Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**Section 2.** Amendment. Title IX, Chapter 97.10 through 97.99, Fireworks, shall be deleted in its entirety and replaced as follows:

**FIREWORKS**

**§ 97.10 SALE OF FIREWORKS**

The sale of fireworks is prohibited within the Village of Chatham.

**§ 97.11 DEFINITION**

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***FIREWORKS.*** Any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, firecrackers, torpedoes, skyrockets, Roman candles, dago bombs, smoke devices, chasers and devices of like construction and any device containing any explosive substance, except the term ***FIREWORKS*** shall not include auto flares, wire sparklers, snakes, flow worms, trick noisemakers and paper caps containing not in excess of .25 grain (16.2 mg.) of explosive content per cap and toy pistols, toy guns or other devices for use of the caps, the sale and use of which shall be permitted at all times. For purposes of this subchapter, the firework definitions set forth in the Pyrotechnic Use Act, 425 ILCS 35/1, shall also apply and shall be incorporated herein.

**§ 97.12 PERMIT REQUIRED FOR DISPLAY OF FIREWORKS**

No person or persons shall display, use or explode fireworks without first obtaining a permit from the Chatham Fire Protection District and delivering a copy of the permit, along with the insurance and indemnification information, to the Village Manager at least fifteen (15) days before the proposed display.

**§ 97.13 PUBLIC DISPLAY; AGREEMENT; INSURANCE COVERAGE**

No permit for a public display of fireworks shall be issued unless the person applying is a lead pyrotechnic operator and that person executes and delivers with the applicant an appropriate hold harmless agreement to the Village and proof of insurance in a sum not less than \$1,000,000 conditioned on compliance with the provisions of the Pyrotechnic Use Act and the regulations of the State Fire Marshal adopted thereunder.

**§ 97.14 COMPLIANCE WITH STATE & FEDERAL LAWS ON FIREWORKS REQUIRED**

No person or persons shall apply for a permit, display, use, or explode fireworks as defined in 97.11, unless they are in compliance with the provisions of the Pyrotechnic Use Act and all other applicable laws and regulations.

**§ 97.15 PERMISSIBLE DISPLAY HOURS**

No person or persons shall display, use, or explode fireworks except between the hours of 5:30 p.m. and 10:00 p.m. On December 31 of each year, it shall be permissible to display, use or explode fireworks between the hours of 5:30 p.m. and 1:00 a.m. on January 1.

**§ 97.16 CLEANUP OF DEBRIS FROM DISPLAY**

Every person who displays, uses or explodes fireworks shall clean up all debris from the display. In addition to any other penalty provided for by the Village of Chatham Code of Ordinances, failure to clean up debris shall be considered by the Village Manager in determining whether to renew an existing permit or grant a subsequent permit.

**§ 97.17 PERMIT FEE**

The applicant shall be responsible for paying any applicable permit fees established by the Chatham Fire Protection District, directly to the Chatham Fire Protection District.

**§ 97.18 PERMIT ISSUANCE / LIMITATIONS**

The Chief of the Chatham Fire Protection District is authorized to accept applications on behalf of the Village and issue up to four (4) permits for fireworks within the Village of Chatham each year in accordance with the terms and conditions of this Chapter. The Village Board may increase the number of permits available by adoption of a resolution.

**§ 97.99 PENALTY**

Any person, firm or corporation who violates any of the provisions of this chapter shall, upon conviction, be fined not less than \$75 nor more than \$750 for each offense.

**Section 3. Severability.** In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**Section 4. Repeal and Savings Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any

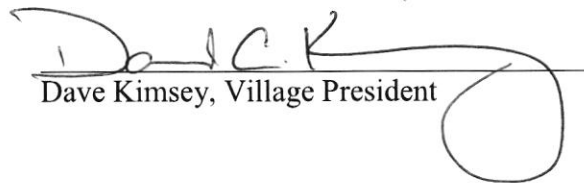
rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

**Section 5. Effective Date.** This Ordinance shall be in full force and effect 10 days from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 27 day of February, 2018.

	YES	NO	ABSENT	PRESENT
TERRY FOUNTAIN	X			
BRETT GERGER	X			
NINA LINDHORST	X			
RYAN MANN	X			
MATT MAU	X			
PAUL SCHERSCHEL	X			
DAVE KIMSEY				
TOTAL	6	0	0	

**APPROVED** by the President of the Village of Chatham, Illinois this 27 day of February, 2018.

  
 Dave Kimsey, Village President

Attest:

  
 Amy Dahlkamp, Village Clerk