

**AN ORDINANCE OF THE TOWNSHIP OF SPARTA, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE'S CHAPTER IV ENTITLED "GENERAL LICENSING" AND CHAPTER IX ENTITLED "PARKS AND RECREATION AREAS"**

**WHEREAS**, the Sparta Township Council has determined that the Code should be amended to permit fireworks displays in accordance with state laws.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Sparta, in the County of Sussex, and State of New Jersey as follows:

**Section 1:** Chapter IV "General Licensing" shall be amended as follows:

New Section 4-18 shall be added and shall read:

**4-18 FIREWORKS PERMIT**

**4-18.1 Compliance with statutory provisions**

No person or entity shall offer or expose for sale, sell, distribute, possess, use or explode any fireworks or pyrotechnics or any devices in which explosives are used for fireworks or pyrotechnics except under the provisions of N.J.S.A. §21:3-1 to §21:3-9, as amended, as relates to public displays.

**4-18.2 Permit required**

In accordance with N.J.S.A. §21:3-3 and §21:3-4, in addition to all State permits and requirements set forth therein, a permit must be obtained from the Township Council for any fireworks display to be conducted within the Township. The permit shall be issued providing all conditions of N.J.S.A. §21:3-3 to §21:3-9 are complied with by the applicant, including posting of the required bond.

**4-18.3 Fees**

- a) The permit fee for a fireworks display is \$600.
- b) \$500 of this permit fee shall be specifically dedicated by the Township to an account for maintenance and/or capital improvements of Fire Department vehicles and equipment.
- c) Non Compliance with this Section shall result in a violation of N.J.S.A. §21:3-8.

**Section 2:** Chapter IX "Parks and Recreation Areas" is amended as follows:

**Section 9-8 Conduct In Parks And Recreation Areas**

Subsection k is repealed and replaced as follows:

k. Carry or use firearms or explosives, fireworks, air rifles, bows and arrows, sling shots or any weapon. At the discretion of the Mayor and Council, a permit for a properly supervised fireworks display, in accordance with all applicable state statutes, may be issued as set forth in Section 4-18 and the Township Code.

The remainder of this Chapter remains as is.

**Section 3. Severability.** If any provision of this ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 4. Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

**Section 5. Effective date.** This ordinance shall take effect after its final passage and publication as required by law.

#### **NOTICE**

**NOTICE** is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Sparta, in the County of Sussex, New Jersey, held on May 22, 2018. It will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Municipal Building, 65 Main Street, in the Township of Sparta, on June 12, 2018, at 7:30 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA

KATHLEEN CHAMBERS, RMC  
MUNICIPAL CLERK

#### **NOTICE**

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on May 22, 2018. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on June 12, 2018 at 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

KATHLEEN CHAMBERS, RMC  
MUNICIPAL CLERK