MARIPOSA COUNTY ORDINANCE NO. 459

AN ORDINANCE ESTABLISHING PREVENTION AND CONTROL

OF PYROTECHNICS IN THE COUNTY OF MARIPOSA

The Board of Supervisors of the County of Mariposa do

ordain as follows:

CHAPTER I

SECTION 1. TITLE. This ordinance shall be known as the

"Pyrotechnics Ordinance" of the County of Mariposa and may be cited

as such.

SECTION 2. PURPOSE. This ordinance is enacted for the

public need in the preventing, eliminating, or minimizing of the

hazards related to the use of pyrotechnics and for the safety of

life and property in the County of Mariposa.

This ordinance shall be in addition to the measures of

fire prevention as set forth in County ordinances and the laws and

regulations of the State of California and the United States.

SECTION 3. ENFORCEMENT DUTIES.

a. It shall be the duty of the County Fire Warden to

enforce the various provisions of this ordinance and any subsequent

ordinances amending the same and all orders and ordinances of the

Board of Supervisors and laws of the State of California relating

to:

(1) The prevention and suppression of fires.

(2) Storage and use of flammable material and pyro-

otechnics.

SECTION 4. PERMITS.

a. The Board of Supervisors and the County Fire Warden

are hereby authorized and empowered to issue permits and certificates
of approval required by this Code; and it shall be the duty of the County Fire Warden or, in the absence of a County Fire Warden, the Board of Supervisors, to issue such permits and certificates of approval when such issuance will not unduly endanger life or property.

b. No permit issued under the provisions of this Code shall release any person from any liability, civil or criminal.

SECTION 5. ILLEGAL FIREWORKS. Except as hereinafter otherwise provided in Sections 6 and 7, it shall be unlawful for any person to sell, offer for sale, have in his possession, fire, set off, discharge, or use, or to cause or permit to be sold, offered for sale, had in possession, fired, set off, discharged, or used, any firecracker or salute of any size, kind, nature, or name, bomb, chaser, skyrocket, Roman candle, triangle wheel, pin wheel, mine, balloon operated by means of any flame, or any fireworks or other device commonly used for display or celebration purposes which contains any phosphorus in any form, or which contains any dynamite, or any form of nitroglycerine, or any explosive substance so confined as to cause detonation upon being discharged, or any product which is of a similar nature to any article or product hereinabove enumerated, or any article or product of a flammable nature or capable of causing conflagration and which is commonly used for display or celebration purposes; provided, however, that nothing in this section shall prohibit selling, offering for sale, possession, firing, setting off, discharging or use of any paper cap used in toy cap pistols.

SECTION 6. MANUFACTURE/JOlobber. Upon the issuance of a permit by the Board of Supervisors, it shall be unlawful to engage
in the manufacturing, jobbing, or dealing in any article or product
named or described in Section 5 in the event that such article or
product is sold or offered for sale solely for delivery and use
outside of the unincorporated territory of the County of Mariposa,
and in the further event that any such article or product so sold
is delivered by such manufacturer, jobber, dealer, or common carri-
er to such point of delivery.

SECTION 7. PUBLIC DISPLAY. Nothing in the Code shall
prohibit any discharge or display of fireworks at any public gath-
ering, provided that a permit so to do has first been obtained from
the County Fire Warden or the Board of Supervisors. No such permit
shall be granted for any such public display unless for a location
where the falling of any lighted fireworks or objects would not
endanger buildings, structures, vehicles, forest, brush, or grass-
covered land, or unless the discharge of fireworks is under the
direct supervision of a capable experienced person, or provision
is made of fire extinguishment appliances satisfactory to the
County Fire Warden or the Board of Supervisors.

SECTION 8. This ordinance shall take effect immediately
as an emergency measure, and a true copy thereof shall be published
in the MARIPOSA GAZETTE within fifteen (15) days.

PASSED AND ADOPTED by the Board of Supervisors of the
County of Mariposa this 28th day of June, 1977, by the following
vote:

AYES: Clark, Dalton, Long, Walton, Owings

NOES: None

NOT VOTING: None

ABSENT: None
FRANK L. LONG, JR., Chairman
Board of Supervisors

ATTEST:

ELLEN BRONSON, County Clerk and
Ex-Officio Clerk of the Board