

15.10.060 - Article 78 amended—Sale of fireworks.

Add the following section to Article 78, page 202:

Sale of Fireworks:

Section 78.107.

(a) The Director of Fire Services may approve the sale of fireworks according to the laws of the State of Montana.

(b) Fireworks may only be sold at a site approved by the Director of Fire Services. No site for the sale of fireworks shall be within 150 feet of any other building or structure. Fireworks shall not be sold in any area zoned Residential, Commercial C-1 or Commercial C-3. All premises where fireworks are offered for sale shall be inspected by the Director of Fire Services concerning construction, entrance, exits, fire extinguishers and other fire preventive measures as prescribed by the Director of Fire Services.

(c) Sale of Fireworks Restricted to Certain Dates. A person, firm or corporation may offer permissible fireworks, as defined in Section 50-37-105, MCA of any kind for sale at retail only during the following periods:

(i) June 24 through July 5; and

(ii) December 29 through December 31.

(d) Exception for Special Events. Discharge of fireworks for special events may be allowed outside of those periods set forth in Subsection (c) above upon written request to the Council of Commissioners, and subsequent approval of the Council, prior to the event.

(e) Use of Fireworks restricted to Certain Dates. It is unlawful to use any fireworks within the City and County of Butte-Silver Bow except during those periods set forth in subsection (c) above.

(f) Unlawful Sale, Transportation or Discharge of Fireworks. Pursuant to that authority set forth in Section 7-33-4206, MCA, it is unlawful to possess, sell, transport or use any fireworks within the City and County of Butte-Silver Bow except as provided in Chapter 37 of Title 50, MCA.

(Ord. 08-1 § 1, 2008; Ord. 07-11 § 3, 2007; Ord. 438 § 38, 1992; Ord. 266 § 5.20(B), 1986; Ord. 195 § 5.20(B), 1983)