Town of Eustis
Fireworks Ordinance

Authority
This ordinance is enacted pursuant to the enabling provisions of the Maine Constitution, the
provisions of 30-A M.R.S.A. § 3001, and the provisions of 8 M.R.S.A. § 223-A

Purpose
This Ordinance regulates the use of consumer fireworks to ensure the safety of the residents and
property owners of the Town of Eustis and of the general public.

Definitions
The following words, terms and phrases, when used in this chapter, shall have the meanings
ascribed to them in this section, except where the context clearly indicates a different meaning.

Consumer Fireworks:
"Consumer Fireworks" has the same meaning as in 27 Code of Federal Regulations, Section
555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-
party testing laboratory as conforming with the United States Consumer Product Safety
Commission standards, in accordance with 15 United States Code, Chapter 47. "Consumer
fireworks" does not include any products which are illegal to sell, use or possess in the State of
Maine (Missile-type rockets, helicopters, aerial spinners, sky rockets, bottle rockets, etc.)

Permitting
No person shall use, display, fire or cause to be exploded consumer fireworks within the Town of
Eustis without a permit. This section shall not apply to a person in possession of a fireworks
display permit by the State of Maine pursuant to Title 8, MRSA Section 227-A. Permits shall be
issued by the Town of Eustis Fire Chief or designee, in accordance with normal procedures as
used for the issuance of a burn permit. No permit shall be issued on any day with a fire Danger
of 3, 4, or 5.

Permissible Site
A person may use consumer fireworks only on that person’s property or on the property of a
person who has consented, in writing, to the use of consumer fireworks on that property.

Restrictions
No person shall use, display, fire or cause to be exploded consumer fireworks within 100 feet of
any building or structure.
No person shall use, display, fire or cause to be exploded consumer fireworks within the Town of Eustis or from any water body within waters of the town except on the following days and during the following times:

- July 4th, beginning at noon and ending at 11 p.m.
- December 31st, beginning at noon and ending at 12:30 a.m. the following day.
- January 1st, beginning at noon and ending at 10 p.m.
- With valid permit for all other dates/times during a calendar year and ending at 10 p.m.

Violation and Enforcement

Penalty
Any person who violates the provisions of this ordinance shall commit a civil violation punishable by a penalty of not less than two hundred dollars ($200.00) and not more than five hundred dollars ($500.00) plus attorney fees and cost to be recovered by the Town of Eustis for its use. Each incident shall constitute a separate violation.

Enforcement
This Ordinance shall be enforced by the Town of Eustis Fire Chief and/or his designee.

Injunction
In addition to any other remedies available at law or equity, the Town of Eustis, acting through its Fire Chief, may apply to any court of competent jurisdiction to enjoin any planned, anticipated or threatened violation of this Ordinance.

Severability
In the event that any section, subsection or portion of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance.

Effective Date
This Ordinance shall take effect immediately upon enactment by the municipal legislative body.