

LEHIGH TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE 2026-1

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF LEHIGH TOWNSHIP REPLACING CHAPTER 79, ENTITLED "FIREWORKS", OF THE CODIFIED ORDINANCES OF LEHIGH TOWNSHIP IN ITS ENTIRETY AND SETTING FORTH NEW REGULATIONS FOR CONSUMER AND COMMERCIAL FIREWORKS.

BE IT ENACTED AND ORDAINED, AND IT IS HEREBY ENACTED AND ORDAINED, by the Board of Supervisors of Lehigh Township, that the Codified Ordinances of Lehigh Township shall be amended as follows:

**Section 1.** Chapter 79, Fireworks, is hereby repealed and replaced in its entirety and shall now read as follows.

**Section 2** Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

A. **Consumer Fireworks**

1. Any small firework device designed to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission, as set forth in title 16, Code of Federal Regulations, parts 1500 and 1507. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg or less of explosive materials, and aerial devices containing 130 mg or less of explosive materials. This term does not include fused setpieces containing components which together exceed 50 mg of salute powder. It includes any combustible or explosive composition or any substance or combination of substances, or, except as hereinafter provided, any article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel the same, fire-crackers, torpedoes, skyrockets, Roman candles, aerial fireworks, or other fireworks of like construction, and any fireworks containing any explosive or flammable compound or any tablets or other device containing an explosive substance.
2. It shall not include sparklers, toy pistols, toy canes, toy guns, or other devices in which paper caps containing 25/100 grains or less of explosive compound are used, when providing they are so constructed that the hand cannot come in contact with the cap in place for the explosion, and toy pistol paper caps which contain

less than 20/100 grains of explosive mixture, the sale and use of which shall be permitted at all times, nor shall the term "fireworks" include toy cannons which operate on the principle of mixing calcium carbide, weighing less than 1/10 of an ounce, and water in the reservoir of the cannon and in which ignition results upon the creation of a spark.

- B. Commercial Display Fireworks. Large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation. This term includes, but is not limited to, salutes containing more than 2 grains (130 mg) of explosive materials, aerial shells containing more than 40 grams of pyrotechnic compositions, and other display pieces which exceed the limits of explosive materials for classification as "consumer fireworks."
- C. Public Officer. Any Police Officer or Code Enforcement Officer designated by the Township to enforce Township ordinances, including officers authorized through intra-jurisdictional agreements.

### **Section 3.** Use Regulations

#### A. Use of Commercial Display Fireworks

It shall be unlawful for any person, persons, firms or corporations, amusement parks, fair associations or other organizations or groups of individuals to have or to hold commercial fireworks displays within the limits of the Township of Lehigh unless a permit therefore is first granted by the Board of Supervisors of said Township, as hereinafter provided:

- 1. Requirements for display
  - a. Every display of commercial fireworks within Lehigh Township shall be performed by a state licensed operator. The state licensed operator shall be present during the entire display and shall have on his/her person proper identification regarding said license which shall be displayed upon request by a Township official and/or police officer.
  - b. Firework displays shall be of such a character and so located so that the display shall not constitute a hazard or danger to any person or property within Lehigh Township.
  - c. Firework displays shall not exceed 30 minutes in length, unless otherwise authorized by the Lehigh Township Board of Supervisors pursuant to a vote at a public meeting.
- 2. Application procedures; fee.
  - a. Application for permits shall be submitted in writing to the Township business office at least 30 days in advance of the date of display. Said application shall provide the proposed location of the display, the character thereof, name and address of the licensed operator, and the name and address of the owner or owners of the grounds on which the display is

to be held, with the consent of such owner or owners thereto in writing attached.

- b. All applicants shall pay the Township Secretary/Treasurer a sum as set from time to time by resolution of the Board of Supervisors before issuance of a permit.

3. Permit issuance and nontransferability.

Any permit issued under this chapter shall be issued solely to the applicant and for the specific location, use, and activity described in the approved application. Such permit shall not be transferred, assigned, or conveyed to another person, entity, or location without prior written approval of the Township.

4. Bond required.

The Board of Supervisors of the Township of Lehigh requires that the licensed operator and/or the owner of the property upon which the display shall occur post a bond in an amount acceptable to the governing body, but in no event less than \$1,000,000. Said bond shall be issued to ensure the payment of any and all damages caused to any person or persons and to any property by reason of the licensed display of fireworks and arising from any acts of the licensee, his or its agents, employees, or subcontractors, which bond shall be filed with the Township Business Office before any permit for a supervised public display of fireworks is granted.

5. Permit continuance.

If, due to unfavorable weather conditions, a display authorized by a permit issued under this chapter does not occur at the time specified in the permit, the permittee may, within twenty-four (24) hours of the authorized date, apply to the issuing authority for a continuance. Such application shall be made under oath and shall state that the display did not take place, the reasons therefor, and the date requested for the rescheduled display, which shall be no later than one (1) week after the date originally authorized.

Upon receipt of such application, the issuing authority, if satisfied that the facts stated therein are true, shall extend the permit to the date requested, provided that such date is not later than one (1) week after the original permit date. No additional fee shall be required for such extension, and no additional bond shall be required beyond that posted for the original permit. The original bond shall remain in full force and effect and shall apply to and cover any damages resulting from the display conducted on the extended date to the same extent as if the display had occurred on the date originally authorized.

B. Use of Consumer Fireworks.

Fireworks which can be legally purchased in Pennsylvania by individuals who are not licensed operators. Permits are not required for the use of consumer fireworks provided the following is adhered to:

1. User must be at least 18 years old
2. Consumer Fireworks shall only be used on private property. The property owner shall be present while the fireworks are being used or the user shall have written permission from the property owner and be able to produce said document to police upon request.
3. Fireworks are prohibited on streets, parking lots, sidewalks, parks without permission of the owner that controls the property
4. Fireworks shall not be directed towards a vehicle or used from a vehicle.
5. Fireworks shall be prohibited if the person using them is under the influence of alcohol or drugs
6. Fireworks are prohibited from being set off within 150 feet of a building or vehicle, whether occupied or not, regardless of whether or not owned by the user.
7. Fireworks are prohibited within 150 feet of an animal housing facility or fenced area designed to confine livestock owned or managed by another person.
  - a. If used within 150-300 feet of an animal housing facility the user shall notify the owner of the facility and Township Police Department in writing at least 72 hours in advance
8. The use of consumer fireworks shall be limited to a 20 minute display period. Periodic setting off of fireworks throughout the day is prohibited.
9. Debris or projectiles from fireworks shall not leave the property from which they have been set off.

**Section 4** Hours for Use and Display of Fireworks.

The use of all fireworks, both commercial and consumer shall be limited to the following hours:

- A. Fireworks shall not be used between the hours of 10:00 p.m. and 10:00 a.m., except:
  1. On July 2,3, and 4<sup>th</sup> and December 31<sup>st</sup> when the consumer fireworks may be used until 1:00 a.m. the following day and
    - a. When July 4<sup>th</sup> falls on a Tuesday, Wednesday or Thursday, consumer fireworks may be used the immediately preceding and following Friday and Saturday.
  2. On Memorial Day including the preceding Saturday and Sunday
  3. Labor Day including the immediately preceding Saturday and Sunday.
  4. Fireworks shall not be set off at any time during times of high fire risk.

**Section 5.** Agricultural Use of Fireworks.

- A. The use of fireworks for agricultural purposes to protect crops from bird and animal damage shall be permitted and shall require an annual permit on a calendar year basis. Agriculture use of fireworks shall be subject to the following requirements:
  1. There must be an active growing of crops on the property.
  2. The individual responsible for setting off the fireworks must be at least 18 years old.

