

§ 153-10. Illegal possession or use of fireworks. [Added 9-6-2011 by Ord. No. 2011-29¹; amended 7-16-2019 by Ord. No. 2019-07]

- A. Prohibition. Pursuant to N.J.S.A. 21:3-2, it shall be unlawful for any person to sell, possess or use fireworks with the Township of Stafford, unless specifically permitted and properly licensed under Chapter 110 of this Township Code. Said prohibited fireworks shall include but not be limited to firecrackers, roman candles, bombs, shells and mortars, multiple tube devices, rockets, and other devices of similar construction. Any person violating this section shall be subject to the penalties set forth in § 153-11 herein, including a fine in an amount not to exceed \$2,000. For a second violation of this section, the person shall be subject to a fine not to exceed \$2,500, and for a third violation, the person shall be subject to a fine not to exceed \$5,000.
- B. Pursuant to N.J.S.A. 21:3-8, any person who sells, offers or exposes for sale, or possesses with intent to sell any fireworks as herein mentioned is guilty of a crime of the fourth degree. Any person who purchases, uses, discharges, causes to be discharged, ignites, fires, or otherwise sets in action, or possesses any fireworks is guilty of a petty disorderly persons offense.
- C. Exceptions. Notwithstanding Subsection A and B above, it shall be lawful for a person to offer for sale, sell, possess, or use:
 - (1) A toy pistol, toy cane, toy gun, or other device in which paper or plastic caps containing 0.25 grains or less of explosive compound per cap are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use, and toy pistol paper or plastic caps which contain less than 0.20 grains of explosive mixture per cap;
 - (2) Sparkling devices and novelties as defined in N.J.S.A. 21:2-2 if the person is 16 years of age or older.

1. Editor's Note: This ordinance also redesignated former § 153-10, Violations and penalties, as § 153-11.