



TOWN OF
QUEEN CREEK
ARIZONA

DISPLAY AND SALE OF CONSUMER FIREWORKS AS A TEMPORARY USE



TA10-088





The Town of Queen Creek has initiated the proposed text amendment to Article 6.19 *Temporary Uses* and Table 4.6-2 *Principal Uses Allowed in Non-Residential Districts*, in the Queen Creek Zoning Ordinance, in an effort to allow the display and sale of consumer fireworks in non-residential zoning districts as a temporary use out of a tent, pavilion or similar temporary display area.

This proposal is intended to correspond with the passing of House Bill 2246, which becomes State law on December 1, 2010.



House Bill 2246 basically allows the display and sale of consumer fireworks, as defined by the American Pyrotechnics Association, and includes ground and handheld sparkling devices, illuminating torches, flitter sparklers and wheels.



Fireworks designed or intended to rise into the air and explode, such as bottle rockets, sky rockets, helicopters and Roman candles, are not included.



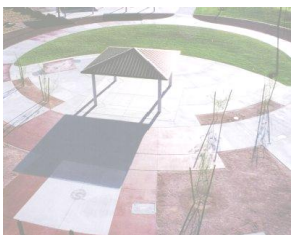


Per Chapter 9 in the Town of Queen Creek Town Code, the Town bans residents from using consumer fireworks within Town limits without a permit from the police chief in writing.



On December 15, 2010, the Town Council will consider adopting an Ordinance to amend Chapter 9 of the Town Code by adding regulations for the use of fireworks. For instance, the Ordinance will allow the Fire Marshall to issue permits for using consumer fireworks within town limits.





The Town currently regulates temporary uses, such as the sale of pumpkins during Halloween and Christmas tree sales during Christmas time, and the sale of consumer fireworks would be processed in the same manner. Temporary uses are only permitted upon approval by the Zoning Administrator. The Zoning Administrator cannot approve a temporary use unless the following criteria, specific regulations and time limitations are met:

- COMPATIBILITY WITH EFFECT ON SURROUNDING AREA.
- LOCATION ON PUBLIC PROPERTY.
- TRAFFIC.
- PARKING AND ACCESS.
- PROPERTY LINE SETBACKS.
- SIGNS.
- NUMBER PER PARCEL.
- PERIOD OF TIME BETWEEN PERMITS.

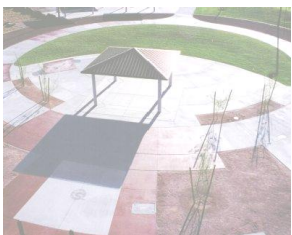


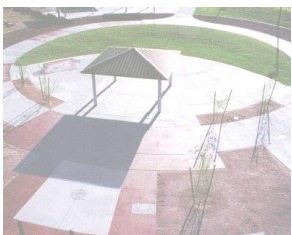
F. TEMPORARY RETAIL SALES USES

4. FIREWORKS SALES. The display and sale of consumer fireworks as defined by the American Pyrotechnics Association Standard 87-1 and pursuant to State law.

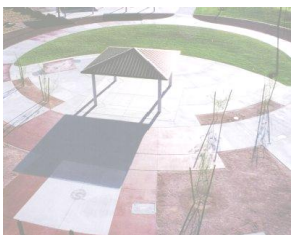
a. Permissible Consumer Fireworks:

- 1. Ground and hand-held sparkling devices.**
- 2. Cylindrical fountains.**
- 3. Cone fountains.**
- 4. Illuminating torches.**
- 5. Wheels.**
- 6. Ground spinners.**
- 7. Flitter sparklers.**
- 8. Toy smoke devices.**
- 9. Wire sparklers or dipped sticks.**
- 10. Multiple tube fireworks devices and pyrotechnic articles.**





- b. Does not include anything that is designed or intended to rise into the air and explode or detonate in the air or to fly above the ground, including, for example, firework items commonly known as bottle rockets, sky rockets, missile-type rockets, helicopters, torpedoes, roman candles and jumping jacks.**
- c. A person shall not sell or permit or authorize the sale of permissible consumer fireworks to a person who is under sixteen (16) years of age.**
- d. Use of consumer fireworks is prohibited in the Town of Queen Creek pursuant to Town Code Chapter 9.**



Thank You

Questions/Comments?