

**SHREWSBURY BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2006-02

**AN ORDINANCE AMENDING THE SHREWSBURY BOROUGH ZONING
ORDINANCE, ORDINANCE NUMBER 1984-1, AS AMENDED.**

BE IT ORDAINED AND ENACTED, by Shrewsbury Borough Council, Shrewsbury Borough, York County, Pennsylvania as follows:

SECTION 1: Section 102.3 is revised by adding the following to the list of specific words and phrases with proper location in alphabetical order:

"FIREWORKS – any combustible or explosive composition or any substance or combination of substances intended to produce visible and/or audible effects by combustion and which is suitable for use by the public."

SECTION 2: Section 207.3 is revised by adding the following to the list of uses by special exception:

"(1) Fireworks sales"

SECTION 3: New Section 632:

1. Section 632 is hereby added to the Shrewsbury Borough Zoning Ordinance as follows:

SECTION 632 FIREWORKS SALES

In only the I district and subject to the requirements of that district except as herein modified and provided:

- a) No person or business entity shall manufacture any Fireworks within the limits of Shrewsbury Borough.
- b) The year-round sales of Fireworks shall be conducted within a permanent structure built in compliance with the Uniform Construction Code and all other applicable building regulations.
- c) The facility shall be in a stand-alone building and shall be no larger than twelve thousand (12,000) square feet.

- d) Any such facility shall not be located within five hundred (500) feet of a School, Recreational Establishment, House of Worship, Dwelling, Hospital, Group Home, or Convalescent or Nursing Home.
- e) The facility shall not be located in the Borough's Wellhead Protection Zone.
- f) Storage areas shall be separated from wholesale or retail areas to which a purchaser may be admitted by appropriately rated fire separation.
- g) The year-round sales of Fireworks from a tent, trailer, or other temporary structure is expressly prohibited.
- h) The sales of Fireworks shall be conducted in compliance with all state and federal laws, and proof of compliance shall be provided on no less than an annual basis or as requested.
- i) The site utilized for the sales of Fireworks shall be a minimum of One Hundred (100) feet from any fuel source and no farther than Three Hundred (300) feet from an operable fire hydrant.
- j) No person shall smoke within fifty (50) feet of an area where Fireworks are sold. No person selling Fireworks shall permit the presence of lighted cigars, cigarettes, or pipes within fifty (50) feet of where Fireworks are offered for sale. At all places where Fireworks are stored or sold, there shall be posted at each entrance signs with the words "Fireworks – No Smoking" in letters not less than four (4) inches high.
- k) A minimum of two (2) ten (10) pound fire extinguishers shall be present at sites where Fireworks are sold.
- l) The discharge of Fireworks is prohibited at sites where Fireworks are sold.
- m) The facility shall be located no closer than two hundred fifty (250) feet from any other facility permitted to sell Fireworks.
- n) The facility shall contact the Shrewsbury Volunteer Fire Company Fire Chief and schedule required fire drills and necessary preplan meetings.
- o) A fire suppression system, including smoke and fire detectors appropriate for the facility, as determined by the Shrewsbury Borough Volunteer Fire Company Chief, and in accordance with applicable fire prevention standards, shall be installed.
- p) A burglar alarm appropriate for the facility, as determined by the Southern Regional Police Department Chief, and in accordance with applicable police standards, shall be installed.
- q) Both the fire suppression system and the burglar alarm shall be monitored by a twenty-four (24) hour third party alarm company. The facility will also be mandated by Shrewsbury Borough Ordinance to mount a key lock box on the facility per Shrewsbury Volunteer Fire Company Specifications.

r) The Zoning Hearing Board has the express authority to impose additional rules and regulations it deems necessary to protect the safety, health and welfare of its citizens.

SECTION 4: Repealer. The passage of this Ordinance amending in part the Shrewsbury Borough Zoning Ordinance, Ordinance No. 1984-1, as amended by Ordinance No. 1992-8 dated October 14, 1992, Ordinance No. 1997-1 dated March 12, 1997, Ordinance No. 1999-5 dated September 8, 1999, and Ordinance No. 2004-04 dated July 14, 2004 shall in no way be deemed to invalidate or repeal any provisions of said Ordinance, except as specifically provided for herein.

SECTION 5: Severability. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 6: Effective Date. This Ordinance shall be effective five (5) days after its enactment by the Borough Council of Shrewsbury Borough, County of York, Commonwealth of Pennsylvania.

ORDAINED AND ENACTED this 8th day of March, 2006