

ORDINANCE 2025 – _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO THE PUBLIC DISPLAY OF FIREWORKS; AMENDING THE PIMA COUNTY CODE, CHAPTER 9.04

The Board of Supervisors of Pima County, Arizona finds that:

1. The Board of Supervisors of Pima County, Arizona has authority under A.R.S. Section 36-1603 to adopt reasonable rules and regulations for granting permits for public displays of fireworks within its jurisdiction.
2. It is in the public interest to require that neighborhoods of a proposed site for a public fireworks display are given advance notice of an application for a permit and that appropriate safety and remediation measures are taken with respect to such displays.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

SECTION 1. Pima County Code Section 9.04.050 is amended by adding a prior notification requirement, as follows:

A. Application for a permit shall be made in writing not less than forty-five days prior to the date of the display. Each applicant must notify any neighbors within 1000 feet of the site by first class mail or email, return receipt requested, prior to submitting an application. Every display shall be handled by a pyrotechnic operator, and shall be of a character and located, discharged and fired so that it will not be hazardous to property or endanger any person. Before a permit is granted, the operator, location and handling of the display shall be approved by the board of supervisors after investigation and approval by the sheriff. After a permit is granted, the sale, possession, use and distribution of fireworks for the display shall be lawful for that purpose only. No permit is transferable or assignable and will be void if transferred or assigned.

SECTION 2. Pima County Code Section 9.04.050 is amended by deleting the authority of the justice of the peace to permit fireworks, as follows:

~~B. If a community, organization or group authorized under this section to obtain a permit for public display of fireworks desires a permit for a locality more than fifty miles from the county seat and not within the limits of an incorporated city or town,~~

PIMA COUNTY CLERK

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~~application may be made to the justice of the peace of the precinct in which that locality is situated. The justice may issue the permit, subject to the conditions prescribed by this section, in the same manner as the board of supervisors. The constable shall make the prescribed investigation. The justice of the peace shall promptly report to the board of supervisors any permit issued by him pursuant to this subsection and shall transmit the bond of the applicant to the board.~~

SECTION 3. Pima County Code Section 9.04.050 is amended by adding a new Section B, which defines the time of day during which fireworks may be set off, as follows:

B. Public displays of fireworks may only be set off:

1. Between sunset December 31 to 1 A.M. January 1; and
2. Between sunset and 10 P.M. on all other days in which public displays of fireworks are allowed.

SECTION 4. Pima County Code Section 9.04.050 is amended by adding a new Section C, which limits the total number of days fireworks displays can occur at any one location, as follows:

C. No single location shall be the site of the public displays of fireworks more than five times during any calendar year.

SECTION 5. Pima County Code Section 9.04.060 is amended by adding a requirement for liability insurance, as follows:

C. Each applicant shall include with the application a copy of the certificate of liability insurance for a minimum of ten million dollars with Pima County listed as additional insured.

SECTION 6. Pima County Code Section 9.04.080 is amended by adding a time limit to the length of the fireworks display as follows:

E. No fireworks display shall occur for longer than thirty (30) minutes.

SECTION 7. Pima County Code Section 9.04.080 is amended by adding enhanced requirements regarding weather conditions, as follows:

- F. No fireworks display shall be held ~~during any storm or wind in which the~~ if the wind reaches a velocity of more than ten miles per hour at the scheduled display time or at any time during the display, verified by the appropriate fire department/district.
- G. No public fireworks displays shall be held if the USDA Forest Service fire restriction is at a stage three.
- H. A firework display that occurs during a USDA Forest Service fire restriction stage one or stage two fire restriction shall require a minimum of one

dedicated brush truck with sufficient staffing to operate said vehicle at the site of the display both prior to and throughout the event. The total number of equipment and staffing shall be approved by the Chief of the appropriate fire department/district. Firework displays are prohibited during designated periods of extreme fire danger or red flag warning conditions.

F.I. All fireworks, articles and items at places of display shall be stored in a manner and in a place secure from fire, accidental discharge, and theft or other potential hazards, and in a manner approved by the governmental agency having jurisdiction.

J. The applicant must:

1. Notify the appropriate fire department/district and schedule on-site standby fire suppression equipment as necessary for the site as determined by the appropriate fire chief during the display.
2. Clear a firing area and a drop area for spent fireworks as designated by the local fire department/district.
3. Cancel any display scheduled if the wind speed within 10 feet of ground level, is higher than 10 miles per hour at the scheduled display time or at any time during the display, verified by the appropriate fire department/district.
4. Remedy any fire or property damage including native ground cover and tree and shrub replacement based on what existed previously, including planting and irrigation as appropriate.

SECTION 8. The Ordinance is effective 30 days after the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors Pima County, Arizona, this 20th day of May, 2025.

Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

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