

**AN ORDINANCE TO AMEND CHAPTER 67,
FIREARMS AND WEAPONS,
OF THE MUNICIPAL CODE OF THE TOWN
OF HENLOPEN ACRES, DELAWARE, SECTIONS 67-2 AND 67-3, RELATING TO
FIREWORKS AND VIOLATIONS AND PENALTIES**

WHEREAS, the Mayor and Commissioners desire to amend Chapter 67, Firearms and Weapons” of the Henlopen Acres Municipal Code.

BE IT ORDAINED by the Commissioners of the Town of Henlopen Acres, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

Section 1. Chapter 67 of the Municipal Code of the Town of Henlopen Acres, Delaware, as amended be and the same is hereby further amended by retitling the Chapter from “Firearms and Weapons” to “Firearms, Weapons, and Fireworks”.

Section 2. Chapter 67 of the Municipal Code of the Town of Henlopen Acres, Delaware, as amended be and the same is hereby further amended by making insertions as shown by underline and deletions as shown by strikethrough as follows:

§ 67-2 Fireworks.

- A. No person may discharge or cause to be discharged, ignited, fired, or otherwise set in action within the corporate limits of the Town of Henlopen Acres, any fireworks, firecrackers, rockets, torpedoes, Roman candles, fire balloons, or other fireworks or substances of any combination designed or intended for pyrotechnic display; except pursuant to Subsection C and D of this Section.
- B. The term “fireworks,” as used in this Section, is as defined in Section 6901, Title 16, of the Delaware Code.
- C. The use of certain fireworks defined in Section 6901(d), Title 16, of the Delaware Code is limited to persons 18 years of age and older and limited to July 4, the third day of Diwali, December 31, and January 1 of each year.
 - (1) The list of certain fireworks permitted on days designated above include wire or wood stick sparklers, snakes, glow worms, smoke devices, party poppers, snappers and drop pops.
- D. This Section shall not apply to public displays authorized by the Town.

§ 67-23 Violations and penalties.

Any person violating any of the provisions of ~~§ 67-1~~ of this chapter shall be deemed guilty of a misdemeanor and upon conviction in a court of competent jurisdiction shall be

Adopted: April 9, 2021

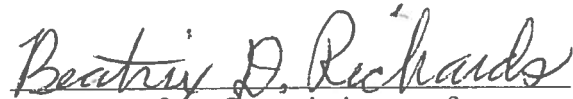
fined not less than ~~\$25~~\$100 nor more than ~~\$100~~\$500 or imprisoned for a term of not more than 10 days, or both, and shall pay the costs of prosecution.

Section 3. If any provision of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect immediately upon its adoption by the Commissioners of the Town of Henlopen Acres.

Adopted by the Commissioners
of the Town of Henlopen Acres

April 9, 2021



Secretary of the Commissioners of
the Town of Henlopen Acres

SYNOPSIS: This Ordinance amends the Town's Municipal Code concerning the use of fireworks and violations and penalties.