

ORDINANCE NO. 23-08

AN ORDINANCE AUTHORIZING THE REGULATION OF FIREWORKS IN THE UNINCORPORATED AREA OF LEXINGTON COUNTY.

WHEREAS, the discharge of fireworks can cause a nuisance to property owners, and;

WHEREAS, County Council finds it to be in the best interest of Lexington County to regulate the discharge of fireworks to certain dates and times.

NOW, THEREFORE, BE IT ORDAINED by the County Council in meeting duly assembled as follows:

Section 1. Discharge of Fireworks. It shall be unlawful for any person to use, fire, shoot, or discharge any fireworks within the unincorporated area of Lexington County, except as provided by Section 2. For the purposes of this section and the remaining sections of this division, “fireworks” means fireworks as defined by state statutory law including S.C. Code, § 23-35-175 and ICC Class C Common Fireworks as described therein.

Section 2. Exceptions. Notwithstanding the provisions of Section 1, the discharge or shooting of fireworks may be permitted under the following circumstances (unless a burning ban has been issued by the Lexington County Fire Chief or his designee, which voids the following permitted discharge of fireworks):

- (1) The discharging or shooting of fireworks between 10:00 a.m. and 11:00 p.m. on the following days:
 - a) July 3, 4, & 5
 - b) December 24 & 25
 - c) Memorial Day

- (2) The discharging or shooting of fireworks between the hours of 10:00 a.m. on December 31 and 1:30 a.m. on January 1.

- (3) The discharging or shooting of fireworks in conjunction with a public display, as defined by the International Fire Code and under the regulations of the State Fire Marshall's office, to the extent allowed under the terms of the fire permit issued by the fire code official.

Section 3. Enforcement and penalties.

- (1) A person who uses, fires, shoots, or discharges any fireworks within the unincorporated area of Lexington County or fails to comply with the provisions of Section 2 shall be deemed guilty of an infraction for each occurrence of noncompliance.
- (2) An infraction is punishable by a civil fine of \$150.00. Each occurrence of a violation of this division shall be considered a separate and distinct infraction. A violation of this division is further declared to be a public nuisance.

Section 4. Effective Date. This ordinance shall be effective upon the date of its enactment.

ENACTED this _____ day of _____, 2023.

LEXINGTON COUNTY, SOUTH CAROLINA

Beth A. Carrigg
Chair of Lexington County Council

ATTEST:

By: _____
Jessica C. Hendrix
Clerk to Lexington County Council

First Reading: June 27, 2023
Public Hearing: August 8, 2023
Second Reading: _____
Third Reading: _____
Filed With Clerk of Court: _____