

Mr. P. W. Wilkinson, Secretary, Board of Fire Commissioners - (cont'd)

fireworks or explosive preparations within the city; and every person for every such offense shall forfeit and pay a sum not exceeding five dollars (\$5); but the Mayor shall be authorized to grant free of all charge a permit for using fireworks if he so sees fit.

It is apparent from the foregoing that the Mayor has the authority to grant permits for using fireworks if he so sees fit, if such power has not been revoked by the Act of the Legislature involved in this matter.

Chapter 327 of the Laws of Maryland, 1941, adds six new sections to Article 48A of the Annotated Code of Maryland (1939 Edition), title "Insurance", to be under the sub-title "Fireworks", said new sections to be known as Sections 81A to 81F, and to follow immediately after Section 81 of said Article, regulating the sale, possession and discharge of fireworks, etc., and providing penalties for the violation thereof.

Among other things, the Act provides that after June 1, 1941, it shall be unlawful for any person to discharge fireworks without a permit granted in the manner provided for by the Act, and each violation of such provision shall constitute a misdemeanor, punishable by a fine of not more than Fifty Dollars (\$50.00); that the Insurance Commissioner may grant special permits for display of fireworks in places where the discharge thereof will otherwise be legal, but such permit shall not authorize the holder thereof to possess or discharge fireworks in violation of any ordinance or regulation in effect where the display is to be made and shall not relieve the applicant from also obtaining any additional license or authority which may be required by the governing body in said locality.

However, the Act also provides:

"Nothing in this sub-title shall apply to the sale to, possession of, or use of fireworks by the Federal, State or municipal governments, nor to the sale to, possession of, or use of combustibles or explosive preparations required by industrial or commercial concerns for use as signals or otherwise in the normal course of their business; nor to the use of flares, signal pistols and other equipment when the same are to be used as signals in athletic contests or for similar purposes."