

Article 38A - Fires and Investigations

16.

(a) It is unlawful for any person to discharge fireworks without a permit issued pursuant to this subtitle, or to possess fireworks, either with the intention of discharging or permitting the discharge thereof in violation of this subtitle, or for the purpose of disposal or sale to persons for use or discharge without a permit, where a permit is required by this subtitle. THE FEE FOR THIS PERMIT IS \$10.

18.

(a) The State Fire Marshal may grant special permits for display of fireworks in places where the discharge thereof will otherwise be legal. The 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 that locality. All applications for permits for public display as herein provided shall be made at least ten (10) days in advance of the date of display. THE FEE FOR THIS PERMIT IS \$10. The permit shall be nontransferable, and shall be granted only after the State Fire Marshal has determined that the proposed display will not endanger the health or safety of persons in the locality, or cause injury to property belonging to others, and that the display of fireworks will be under the supervision of experienced and qualified persons who have previously secured written authority from the State Fire Marshal. Prior to granting the permit, the State Fire Marshal shall require the applicant to furnish a surety bond with corporate surety to be approved by him in an amount the State Fire Marshal prescribes, or an approved liability and property damage insurance policy in an amount prescribed by the State Fire Marshal, conditioned upon the payment of all damages to persons or property caused by reason of the discharge of fireworks mentioned in the permit. The bond or policy shall be payable to the State and may be enforced by any person suffering damage as aforesaid, by suit in the name of the State to his own use. If claims under any bond or policy required under this subtitle are established to an amount greater than the penal sum of the bond, or amount of the policy, the claims shall be payable pro rata to the amount of the penal sum of the bond or amount of the policy and executions shall issue accordingly. Workmen's compensation shall be provided as required by Article 101 of the Annotated Code. For operators not covered by workmen's compensation approved accident insurance coverage shall be provided in amounts prescribed by the State Fire Marshal. The State Fire Prevention Commission shall establish regulations as necessary for the enforcement of this subtitle. The State Fire Marshal may deputize the chief or other members of the fire department serving in any locality, or some other suitable official, to act as his deputy for the purpose of making inspections and investigations and receiving applications for permits.