

RESOLUTION 5-1

WHEREAS, both the Pyrotechnic Use Act and the Pyrotechnic Distributor and Operator Licensing Act govern the sale and display of fireworks in Illinois; and

WHEREAS, Sangamon County adopted Chapter 8.12 of the Sangamon County Code to govern certain aspects of fireworks sales and displays which occur within its jurisdiction; and

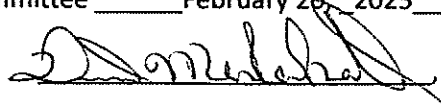
WHEREAS, Chapter 8.12 provides that Consumer Distributor or Consumer Retailer permits are valid for June 25 to July 4 of the applicable calendar year; and

WHEREAS, when the 4th of July is a Friday, related celebrations and use of consumer fireworks often extend into July 5th; and

WHEREAS, allowing permittees to extend by one day the time they could sell consumer fireworks, i.e., through July 5ths that land on Saturdays, would satisfy consumer demand when the 4th of July is a Friday.

NOW, THEREFORE, BE IT RESOLVED by the Members of the Board of Sangamon County, Illinois, in session this 11th day of March, 2025, that Chapter 8.12 of the Sangamon County Code is hereby amended to allow an additional day of consumer firework sales only in the circumstances specified above, all as shown on Exhibit A attached hereto.

Approved by the _____ Zoning & Land Use Committee _____ February 20, 2025 _____

 Chairman

Chairman, Sangamon County Board

ATTEST:

County Clerk

FILED
FEB 21 2025


Sangamon County Clerk

Exhibit A

8.12.080 Consumer Distributor and Consumer Retailer Permits; Application for Permits.

- A. The County Zoning Administrator is authorized and empowered to grant and issue Consumer Distributor and Consumer Retailer permits upon compliance with the conditions set forth in this Chapter. Any such permit shall be deemed a temporary use permit for a fireworks stand for the purposes of the Sangamon County Zoning Ordinance.
- B. The Applicant must meet all requirements of State law for Consumer Distributors and Consumer Retailers prior to distributing, selling, offering for sale, exchanging for consideration, transferring providing free of charge, or otherwise transferring Consumer Fireworks in the County and before advertising or using any title implying that the Person is a Consumer Distributor or Consumer Retailer.
- C. Any Person desiring to obtain a Consumer Distributor or Consumer Retailer permit shall submit an Application for such permit, in writing, to the County Zoning Administrator. Such Applications shall include the following information and documentation:
 - a. The name and address of the business. The address shall be an actual street address and shall include the city, state and zip code. A post office box number is not acceptable as an address.
 - b. The names, telephone numbers, and personal addresses of all owners or officers of the business, including a copy of each person's driver's license or other governmental identification that includes the date of birth and photograph.
 - c. If the business operates under an assumed name, a copy of the assumed name certificate.
 - d. The address of each location from which consumer fireworks will be distributed or retailed.
 - e. Proof that the applicant has registered with OSFM as a consumer distributor or consumer retailer.
- D. Issuance of any permit is conditioned on payment of all applicable fees, compliance with provisions of State law and regulations promulgated by OSFM, and compliance with the provisions of this Chapter.
- E. The County Zoning Administrator, or his or her duly authorized representative, shall ascertain the qualifications of the Person identified in the Application, and shall make a determination of whether or not the Person identified in the Application meet the requirements of this Chapter and of State law.
- F. The County Zoning Administrator, or his or her duly authorized representative, shall prepare and make available such Applications as are necessary to obtain a permit under this Chapter.
- G. Each Application shall be accompanied by the temporary use permit fee for fireworks stands as established in the Sangamon County Zoning Ordinance.
- H. The County shall maintain a copy of each permit issued pursuant to this Chapter in a manner that complies with the Local Records Act, 50 ILCS 205/1, *et seq.*, including any regulations promulgated thereunder.

- I. Upon issuance by the OSFM, a copy of the Consumer Distributor or Consumer Retailer Permittee registration with the OSFM shall be provided to the County by the Consumer Distributor or Consumer Retailer Permittee and shall be kept in with the applicable permit issued pursuant hereto.
- J. Each Consumer Distributor or Consumer Retailer Permittee shall notify the County Zoning Administrator in writing within 10 business days after the change in any of the information it provided to the County Zoning Administrator to obtain a Consumer Distributor or Consumer Retailer permit. Proof that a change in name or address has been done in accordance with the law shall be sent to the County Zoning Administrator, including copies of new assumed name certificates. In the event a business has changed its officers, a sworn statement listing all of the current officers' names and personal addresses, including copies of each officer's driver's license, shall be sent to the County Zoning Administrator.
- K. All sales or other applicable transfer of Consumer Fireworks by a Consumer Distributor or Consumer Retailer shall occur only in accordance with applicable law.
- L. Each Consumer Distributor or Consumer Retailer permit shall be valid for June 25 to July 4 the applicable calendar year. In the event July 4 is on a Friday, a one-day temporary use permit is available for a fee for fireworks stands as established in the Sangamon County Zoning Ordinance.
- M. The County Zoning Administrator will not accept Consumer Distributor or Consumer Retailer Applications for a new location after June 1 for the current July 4th season.