

**ORDINANCE UPDATING THE VILLAGE'S REGULATIONS  
CONCERNING THE USE OF FIREWORKS IN THE VILLAGE IN  
SECTION 8-2-13 OF THE VILLAGE CODE**

**WHEREAS**, the Village of Barrington Hills (hereinafter the "Village") is a duly organized and existing Illinois home rule municipality pursuant to the laws of the State of Illinois and the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

**WHEREAS**, the Village is authorized and empowered, under its home rule powers, the Illinois Municipal Code, the Illinois Pyrotechnic Use Act, 425 ILCS 35/0.01 *et seq.*, and the Code of Ordinances of the Village of Barrington Hills, to adopt regulations regarding the use and permitting of fireworks in the Village; and

**WHEREAS**, in furtherance of this authorization, in 1978, the Village Board adopted certain regulations concerning the use of fireworks in the Village as set forth in section 8-2-13 of the Village Code, which regulations have been in place since that time and which regulations reference the predecessor state law to the current Illinois Pyrotechnic Use Act, 425 ILCS 35/0.01 *et seq.*; and

**WHEREAS**, since that time, it has become common municipal best safety practice to have municipal permit applications for fireworks displays be reviewed and approved by the Chief Fire Official in the applicable Fire Department or Fire Protection District to ensure compliance with mandatory State and local fire safety standards; and

**WHEREAS**, upon a Code review, Village Staff have determined that it is in the best health and safety interests of the residents of the Village to update the Village's regulations to expressly provide that municipal permit applications for fireworks displays be reviewed and approved by the Chief Fire Official in the applicable Fire Protection District to ensure compliance with mandatory State and local fire safety standards; and

**WHEREAS**, the President and Village Board of Trustees have considered the matter and have determined that certain amendments to section 8-2-13 of the Village Code set forth herein are in the best interests of the Village and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Barrington Hills, a home rule community located in Cook, Lake, Kane and McHenry Counties, Illinois, duly assembled at a regular meeting, as follows:

**SECTION ONE:** That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

**SECTION TWO:** That Title 8 Police Regulations, Chapter 2 General Offenses, Section 8-2-13 be amended by deleting the language in section 8-2-13 in its entirety and replacing it with the language as follows:

**8-2-13: FIREWORKS:**

(A) Except as hereinafter provided it shall be unlawful for any person, firm, co-partnership, corporation, club, group, association or organization to offer for sale, expose for sale, sell at retail, or use or explode any fireworks.

(B) Permits for “pyrotechnic displays” of fireworks, as defined in the Illinois Pyrotechnic Use Act, 425 ILCS 35/0.01 *et seq.* and in the Illinois “Pyrotechnic Distributor and Operator Licensing Act”, 225 ILCS 227/1, *et seq.* (the “Acts”), as amended from time to time, to be conducted by a State licensed “pyrotechnic distributor”, “production company”, or “lead pyrotechnic operator”, as defined under the Acts, within the Village, may be issued by the Village President under the following conditions, rules and regulations:

1. A permit application for a pyrotechnic display of fireworks shall be submitted to the Village Clerk.
2. A separate permit shall be obtained from the applicable Chief Fire Official of the Fire Protection District providing service for the location of the proposed pyrotechnic display of fireworks, pursuant to all mandatory and applicable Fire Protection District and State rules and regulations, including but not limited to the Acts, as such rules and regulations are amended from time to time, and shall be subject to any further safety terms and conditions, as required by the Chief Fire Official. A copy of the permit issued by the Chief Fire Official of the Fire Protection District providing service for the location of the proposed pyrotechnic fireworks display shall be provided to the Village Clerk.
3. An Illinois State license issued to the “pyrotechnic distributor”, “production company”, or “lead pyrotechnic operator” shall be required and a copy provided to the Village Clerk.
4. A certificate of insurance naming the Village as an additional insured shall be presented to the Village in the amount of no less than five million dollars (\$5,000,000.00) and a hold harmless clause in favor of the Village shall be presented prior to the issuance of any permit.
5. Applications for permits shall be made in writing at least fifteen (15) days in advance of the date of the display.
6. No permits required and granted hereunder shall be transferable.
7. It shall be unlawful to conduct any permitted pyrotechnic fireworks display in a manner inconsistent with the approved pyrotechnic fireworks display permit application(s) and/or issued pyrotechnic fireworks display permit(s).

(C) All terms provided herein shall be subject to the definitions set forth in the Acts, as amended from time to time, including but not limited to the term “fireworks”.

(D) Violations. Any violation of this section shall be subject to the Village’s general penalty as provided in section 1-4-1 of the Village Code. The owner of record of the premises upon which any unlawful conduct occurs and any individual or entity engaged in any unlawful conduct, as provided in this section, shall be jointly and severally liable for violations of this section.

**SECTION THREE:** That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

**SECTION FOUR:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 22<sup>nd</sup> day of July, 2024.

Ayes: 4 (Hoffmann, Strauss, Ekstrom, Riff)  
Nays: 0  
Absent: 2 (Clarke, Hills)

APPROVED:

  
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Village President

ATTEST:

  
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Village Clerk