

ORDINANCE NO. _____

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING PART 8, NOISE, OF CHAPTER 6, CONDUCT, OF THE CODE OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO AMEND REGULATIONS FOR THE USE OF FIREWORKS, AS PERMITTED PURSUANT TO HOUSE BILL 2157, SESSION OF 2021.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of same as follows:

SECTION 1. Subsection (J) of § 803(2), Prohibited Noise Disturbance, of Part 8, Noise, of Chapter 6, Conduct, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to read as follows:

§ 803 Prohibited Noise Disturbance.

- (2)(J) Use of fireworks as permitted and defined by Pennsylvania State Law shall be limited to the following days and hours:
- i. July 2nd, July 3rd, and July 4th until 1:00 a.m. of the following day. When July 4th falls on a Tuesday, Wednesday or Thursday, on the immediately preceding and following Friday and Saturday.
 - ii. December 31st until 1:00 a.m. the following day
 - iii. Memorial Day, including the immediately preceding Saturday and Sunday
 - iv. Labor Day, including the immediately preceding Saturday and Sunday
 - v. All other days, use of fireworks is prohibited between 10:00 p.m. and 10:00 a.m.

SECTION 2. Severability. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any part of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Burgess and Town Council of the

Borough of Pottstown that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, had not been included herein.

SECTION 3. Re-Enactment. All other parts of Chapter 6, Conduct, of Part 8, Noise, of the Code of Ordinances of the Borough of Pottstown, as amended, to the extent not inconsistent herewith, are hereby re-enacted and reordained and shall remain in effect as previously adopted.

SECTION 4. Effective Date. This ordinance would be effective immediately upon enactment.

ENACTED and ORDAINED this _____ day of _____, 2022.

**THE BURGESS AND TOWN COUNCIL
OF THE BOROUGH OF POTTSTOWN**

BY: _____
Dan Weand, President

ATTEST: _____
Virginia L. Takach, Secretary

Approved this ____ day of
_____, A.D., 2022.

Stephanie Henrick, Mayor