



SPONSOR: Rep. Osienski & Sen. Townsend
Rep. Baumbach; Sens. Gay, Pettyjohn, Walsh

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 41

ENCOURAGING THAT FIREWORKS SHOULD BE USED SAFELY, LAWFULLY, AND WITH MINDFULNESS OF THE IMPACT ON NEIGHBORS.

1 WHEREAS, fireworks are one of many proud traditions in America, including when used in observance of
2 Independence Day; and

3 WHEREAS, Chapter 69 of Title 16 of the Delaware Code ("Chapter 69") permits the use of certain hand-held and
4 ground-based sparklers on July 4, the third day of Diwali, December 31, and January 1 of each year, and permits the sale of
5 these items during a 30-day period prior to and including each of these dates; and

6 WHEREAS, use of fireworks is lawful for certain agricultural purposes or with a permit from the Office of the
7 State Fire Marshall; and

8 WHEREAS, Chapter 69 of the Delaware Code does not specify that the use of fireworks or similar items can
9 occur in contravention of any noise ordinances under applicable laws; and

10 WHEREAS, the use of fireworks, particularly when not lawful, can present a risk or threat to the health and
11 property of Delawareans; and

12 WHEREAS, Delawareans have experienced significant disturbance from the unlawful use of fireworks in their
13 communities, especially Delawareans with post-traumatic stress disorder, including veterans; young children, and animals,
14 including service animals; and

15 WHEREAS, it is important to comply with all applicable laws when using fireworks or similar items, even at
16 joyous times such as the holidays celebrated on July 4, the third day of Diwali, December 31, and January 1.

17 NOW, THEREFORE:

18 BE IT RESOLVED by the House of Representatives of the 151st General Assembly of the State of Delaware, the
19 Senate concurring therein, that Delawareans are encouraged to comply with all applicable laws when utilizing fireworks or
20 similar items.

21 BE IT FURTHER RESOLVED that Delawareans are encouraged to be mindful of ways in which the use of
22 fireworks or similar items, whether lawful or unlawful, might have negative impacts on neighbors.

23 BE IT FURTHER RESOLVED that officials at all levels of government are encouraged to promote awareness of
24 lawful uses of fireworks or similar items, especially preceding July 4, the third day of Diwali, December 31, and January 1
25 of each year.

SYNOPSIS

This resolution encourages compliance with Delaware laws relating to fireworks or similar items and mindfulness regarding the potential negative impacts on neighbors from the use of fireworks or similar items, including Delawareans with post-traumatic stress disorder, children, and service animals.