



July 22, 2024

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# Offenses

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Offenses

## Fireworks

### Private Acts of 1949 Chapter 294

**SECTION 1.** That from and after the effective date of this Act, it shall be unlawful for any person, firm or corporation to possess, store, use, manufacture or sell pyrotechnics, as hereinafter defined, in all counties of this State having a population of not less than 31,130 and not more than 31,135 inhabitants, according to the Federal Census of 1940, or any subsequent Federal Census.

The term "pyrotechnics" as used in this Act shall be held to mean any sparkler, squibb, rocket, firecracker, Roman candle, fire balloon, flashlight composition, fireworks or other similar device or composition used to obtain a visible or audible pyrotechnic display.

**SEC. 2.** That any article or articles of merchandise coming within the definition of "pyrotechnics" as defined in this Act are hereby declared to be contraband, and subject to confiscation whenever found within the boundaries of any county within this State to which this Act is applicable, and it shall be the duty of the Sheriff of any such county, and all peace officers, to seize such article or articles and destroy the same.

**SEC. 3.** That any person guilty of violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50.00 and not more than \$400.00, or by confinement in the county jail for not less than thirty days and not more than eleven months and twenty-nine days, or by both such fine and imprisonment in the discretion of the Court.

**SEC. 4.** That nothing in this Act shall be construed as applying to persons, firms and corporations conducting public displays of pyrotechnics by contract or arrangement with any State Fair, patriotic assembly or similar public functions, who acquire all articles used in such pyrotechnic displays from points outside the counties in this State to which this Act is applicable, and keep such pyrotechnic articles in their possession at all times during the public gathering, and transport the same out of this county upon the conclusion of the arrangement or contract under which such pyrotechnics are displayed for public entertainment.

**SEC. 5.** That the provisions of this Act are hereby declared to be severable, and if any of its sections, provisions, clauses, or parts be held unconstitutional or void, then the remainder of this Act shall continue in full force and effect, it being the legislative intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

**SEC. 6.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 23, 1949

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