

Fireworks Regulation Left For State

COMMISSIONER ASKED FOR BAN IN COUNTY

By TED BYRD
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TAMPA — Hillsborough County commissioners backed away from regulating retail fireworks Wednesday, saying that's a job for state legislators.

"We should not even be taking this up," Commission-

er Jim Norman said.

Commissioner Pat Frank proposed a ban three months ago. A committee of county fire officials, industry representatives and citizens studied the situation instead.

The group recommended more modest action, including ending sales to minors, cracking down on vendors without permits and asking the Legislature to clarify state law. Commissioners simply went with the last.

Technically, the state outlaws fireworks. But the legal language is vague, and a loophole allows them to be used by farmers or mining businesses. Vendors merely ask customers to sign a form saying they intend to use them for one of those exceptions.

"We're contributing to something that is illegal," Frank said.

Polk and Pinellas counties and Temple Terrace have passed ordinances making

fireworks illegal.

In other action, commissioners signed off on Sheriff Cal Henderson's cost-saving plan to close the 40-year-old Morgan Street Jail and move federal inmates. The county is paid to house such prisoners until trial. Henderson said the county is struggling to keep up with the inmate population, but plans are on track for more beds.

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P U B L I C S A F E T Y

Commission Weighs Fireworks Rules

BAN IS NOT LIKELY; RESTRICTIONS POSSIBLE

By TED BYRD
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TAMPA — Hillsborough County commissioners may add restrictions today to retail firework sales, but they aren't likely to follow Pinellas and Polk counties with an outright ban.

A committee studying the issue recommends they end sales to minors, crack down on vendors without permits and ask the Legislature to clarify state law on the matter.

Technically, state law already makes fireworks illegal except for sparklers. But a loophole allows them to be used by farmers to scare birds or in the mining or railroad business. Vendors simply ask customers to sign a form saying they intend to use them for one of those exceptions.



Frank
Commissioner says loopholes, i.e. use of fireworks to scare birds, conflict with state law.

"The law clearly states they're illegal," Hillsborough Fire Marshal Donald Goff said.

Commissioner Pat Frank agreed, declaring: "You can't do that. You're in conflict with the law."

Polk passed its local ban 10 years ago. Pinellas followed suit this summer, and the city of Temple Terrace approved one Tuesday night. All of those rules require buyers to get the sheriff or fire marshal to sign off on any purchase, something that essentially ends most sales.

Fireworks sellers say they follow strict federal safety standards and try to be responsible. An outright ban isn't the solution, they argue.

"Once you eliminate the le-



Storms
"We have bigger fish to fry," commissioner says of a ban, which she views as overkill.

gal guys, the demand is still there," said Todd Pressman, a lobbyist for fireworks merchants. "And it gets filled by a convoy of trucks from Georgia."

Commissioner Ronda Storms agrees a ban would be overkill.

"Look how many people are injured by cars. We don't ban them," she said. "We have bigger fish to fry."

Hillsborough Fire Rescue Chief William Nesmith said his intent isn't to douse all firework displays. There are plenty of professionals trained to put on elaborate but safe pyrotechnic shows.

"We're as patriotic as anyone around," he said. "It's the mom and pop out in the back

yard with their kiddies that have problems."

Nesmith isn't optimistic that efforts to tighten state law would be successful. The industry has "phenomenal lobby power within the state, within the nation," he said.

The Florida Fireworks Association gave the state Republican Party \$2,500 in 2002. Galaxy Fireworks — owned by Sharon Hunnewell, who served on the committee that advised commissioners — donated \$6,000 to the party, \$1,000 to Agriculture Commissioner Charles Bronson, \$500 each to Storms and Commissioner Jim Norman, and \$200 to Commissioner Ken Hagan.

Pressman and his company gave \$950 to Norman in 2002 and \$250 each to Storms, Frank, Hagan, Kathy Castor and Tom Scott. Jan Platt is the only commissioner he skipped.

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