



OFFICE OF SHERIFF JAMES L. BERRONG

November 2, 2017

Brad Bowers, Commissioner
732 Crum Road
Walland, TN 37886

Re: Resolution No. 17-11-019, Repeal of Chapter 589 of the Private Acts, 1949 re Pyrotechnics

Dear Brad:

I am writing in reference to your resolution, Resolution No. 17-11-019 to repeal Chapter 589 of the Private Acts, 1949 regarding prohibiting the possession, storing, using, manufacturing, or selling pyrotechnics in Blount County. I agree the existing fireworks ordinance is outdated.

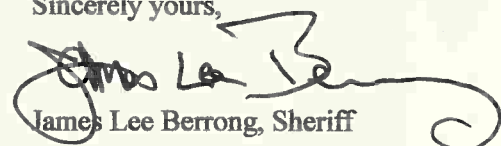
It is obvious that citizens are purchasing fireworks from surrounding counties where fireworks are legal and bringing them into Blount County. From a law enforcement standpoint, enforcing the existing fireworks ordinance, which prohibits the possession of fireworks, has become almost impossible due to their popularity on certain holidays and celebratory events. We respect that our citizens enjoy fireworks, and for the most part, we have not experienced many problems associated with their use.

The main complaint the Sheriff's Office receives due to pyrotechnics is the use of fireworks when it conflicts with Blount County ordinance, Regulation No. 45, the anti-noise regulation, which states that *"No person shall create or cause any noise of such character, intensity, or duration as to be detrimental to the life or health of any individual or in disturbance of the public peace and welfare."* Subsection (1) (c) of regulation 45 states, *"Yelling, shouting, hooting, etc. Yelling, shouting, hooting, whistling or singing on any highway, street, road, or public way, particularly between the hours of 11 p.m. and 7 a.m., or at any time or place so as to annoy or disturb the quiet, comfort, or repose of any person in any office or hospital, or of any person in any dwelling, hotel or type of residence, or of any person in the vicinity."*

Based on the fact that the use of fireworks often conflicts with Blount County's noise ordinance, we recommend the current pyrotechnics ordinance be rewritten to include that it will be *"unlawful for any person, firm, or corporation to use fireworks between the hours of 11 p.m. and 7 a.m."*

I appreciate the initiative of you and Commissioner Caskey to amend the current pyrotechnics ordinance. Please feel free to call me if you have any questions, or if you'd like to discuss my suggestions further.

Sincerely yours,



James Lee Berrong, Sheriff