

UPPER MORELAND TOWNSHIP
Committees Meeting Agenda
July 20, 2020 at 7:00 p.m.

AGENDA ITEMS ARE SUBJECT TO CHANGE

INSTRUCTIONS TO JOIN:

Conference Call: Dial-in number (US): (425) 585-6384 - Access code: 230-620-955#

SUBMIT COMMENTS/QUESTIONS:

E-mail in advance or during the meeting to: comments@uppermoreland.org

Call in advance during normal business hours to 215-659-3100 x1058 or x1057

Residents requiring special accommodations, please call the Township during normal business hours

Public Health & Safety Committee Members: Commissioner and Committee Chair Charles M. Whiting, Commissioner R. Samuel Valenza, Commissioner Nicholas O. Scull; Township Staff Members/Representatives: Police Chief Andrew Block, Captain John Fugelo and Assistant Chief Ken Davidson, Second Alarmers Association & Rescue Squad and Fire Chief Chuck Jones, Jr. of the Willow Grove Volunteer Fire Company

- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes – June 22, 2020 (attachment)**
- IV. Acceptance and approval of the following monthly reports for April 2020:**
 - A. Police Department Memorandum and Monthly Report by Chief Murphy (attachment)
 - B. Department of Emergency Services by Captain John Fugelo/Chris Strange (attachment)
 - C. Second Alarmers Association & Rescue Squad by Assistant Chief Ken Davidson
 - D. Willow Grove Volunteer Fire Company by Chief Chuck Jones, Jr.
- V. Old Business:**
 - A. Upper Moreland Township's Municipal and Police Building Assessment Report
- VI. New Business:**
 - A. Discussion on Upper Moreland Township's Fireworks Ordinance (attachment)
- VII. Other Items**
- VIII. Visitor Comments**
- IX. Commissioner Comments**
- X. Adjournment**

Public Health & Safety Committee Meeting

Public Health & Safety Committee Members: Commissioner and Committee Chair Charles M. Whiting, Commissioner R. Samuel Valenza, Commissioner Nicolas O. Scull, Andy Block, Chief of Police, John Fugelo, Captain/Emergency Services/Fire Marshall, Kenneth E. Davidson, Assistant Chief of Operations & Administration at Second Alarmer's Rescue Squad

- I. **Call to order:** Commissioner and Committee Chair Whiting called the meeting to order via audio conference call following adjournment of the Parks and Recreation Committee Meeting.
- II. **Roll Call:** Commissioner and Committee Chair Whiting, Commissioner Scull; Absent: Commissioner Valenza. Also present: Chief Block, Captain Fugelo, Chief Davidson, Fire Chief Chuck Jones, Jr. Also present: Matthew H. Candland, Township Manager, and Alex Baumler, Township Solicitor.
- III. **Approval of Minutes** - May 18, 2020 and February 24, 2020 - The meeting minutes were unanimously approved as submitted.
- IV. **Acceptance and approval of the following monthly reports:**
 - A. Police Department – Memorandum and Monthly Report - Chief Block reviewed statistics and reminders.
 - Commissioner Scull inquired about graffiti at Woodlawn School. Chief Block stated that he will follow up on the issue.
 - B. Department of Emergency Services - Captain Fugelo reviewed statistics of the report.
 - C. Second Alarmer's Association and Rescue Squad - Chief Davidson provided the following updates:
 - Call volume remains down on injuries and accidents.
 - Thanks was given to the Paycheck Protection Program and private organizations such as Philly Fund, Rotary Clubs and Willow Grove Charities for donations that assisted with purchases of equipment.
 - House Bill 1347 is stalled but remains critical to EMS operations. Support is requested from State Representatives to pass the Bill.
 - Fund drive and subscription flyers have been mailed and the EMS is appreciative of any extra donations to help offset expenses. In Pennsylvania, the EMS system generates revenue in only three ways: fee for services with payments from insurance, media donations, and municipality assistance through taxes or their general fund.
 - On September 12, 2020, the Pennsylvania EMS Provider Foundation and the Pennsylvania Memorial Bike Riders will host a riding event to Harrisburg honoring the EMS victims of September 11, 2001 and the COVID-19 pandemic.
 - D. Willow Grove Volunteer Fire Company by Chief Chuck Jones, Jr.:
 - Grill safety tips include:
 - Always grill outside, away from the house, eaves and overhangs; keep children and pets at least 3 feet away from hot grills; clean grills and trays from grease and build up; never leave grills unattended; open grill lid before lighting; use only recommended starters and fluids and keep them away from children and heat sources; dispose cooled coals in a metal container.
 - Anyone interested in becoming a new member or volunteer can send an email to: becomeamember@wgvfc.org.

V. **Old Business** - nothing to report.

VI. **New Business:**

- Commissioner Whiting welcomed Andy Block, the new Chief of Police.
- Chief Block stated that he is excited to work with the men and women of the Police Department to build relationships with the residents and business owners of the Township. He proposes to offer police academy programs, with approval by the Commissioners and Township Manager, where residents and police can learn to work together on initiatives and events throughout the year. One of his first initiatives is to meet with each police officer to learn about their career.
- Commissioner Whiting thanked Chief Michael Murphy for his many years of dedicated service to Upper Moreland Township.

VII. **Other Items** - nothing to report.

VIII. **Visitor Comments:**

- Francis and Kathleen Carver, residents of 3045 Davisville Road, commented on speeding issues. They also reported that their mailbox had been damaged. Chief Block replied that the Traffic Officers will follow up with organized speed checks and also with the Carvers regarding their damaged mailbox.

IX. **Commissioner Comments:**

- Commissioner Spearing thanked the Police Department for oversight and assistance with the peaceful demonstrations during the protests earlier this month.
- Commissioner Spearing commented about speeding issues on Pioneer Road and thanked Mr. and Mrs. Carver for their feedback. He suggested that speed bumps or tables could be incorporated in the road surface.
- Commissioner Spearing stated that the Township building will reopen to the public with safety measures. Mr. Candland stated that when the building reopens on July 6, 2020, everyone is required to wear masks, maintain social distances of 6 feet as placed on the floors, and limit the number of people attending meetings in the Council Room.
- The Committee agreed to move forward with in-person meetings beginning with the July 6, 2020 Regular Meeting. This would also allow holding Zoning Hearing Board meetings.
- Commissioner Whiting thanked all first responders for performing their jobs during the pandemic and reminded everyone to wear face masks.

X. **Adjournment:** There being no further business for this Committee, the meeting was adjourned at 9:00 p.m.

Respectfully submitted by Kathleen Kristire.

Upper Moreland TOWNSHIP POLICE DEPARTMENT



MEMORANDUM

117 Park Ave.
Willow Grove
Pennsylvania 19090
Voice: 215-657-4700
Fax: 215-659-1603
www.uppermoreland.org

Andrew J. Block
Chief of Police

To:	Public Safety Committee	Date:	13 July 2020
From	Chief Andy Block	Case:	
Subject:	June 2020 Monthly Activities Report	Page:	1
Approved:		Total Pages:	3

The follow is the police department activity and highlights for the month of June 2020:

1. Training continues to be limited for members of the police department due to the COVID-19 restrictions.
2. Overall call volume is increasing as Montgomery County entered the green phase of COVID-19 restrictions in the last week of June. The overall call volume is down approximately 8% when compared to June 2019.
3. The Upper Moreland Police Department assisted with two peaceful protests within the township as result of the murder of George Floyd in Minneapolis. The first protest occurred on Friday, June 5, 2020 from 5:00-7:00PM at Veterans Memorial Park. The second protest occurred on Tuesday, June 16, 2020 from 6:30-8:30PM in front of the Upper Moreland Township Police Department. The police department supported both protests by handling traffic and security issues for the participants. Both events were very peaceful without any incident.
4. On June 9th, 2020 members of the Upper Moreland Police Department assisted with the Upper Moreland High School Graduation Parade. The police department provide a lead vehicle and traffic control for the graduating senior class of UMHS. The parade began at 11:30AM and concluded at UMHS at 12:00noon.
5. The Detective Bureau; Notable investigations for the month of June were threats to President Trump, Shooting/assault investigation at the We R Family Childcare Services. Two sexual assault investigations. Two robbery investigations.

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6. On June 25, 2020 Upper Moreland Township Police received a report from the Montgomery County Communications Center of a barricaded male with several handguns in the Blair Mill Village East Apartments. Arriving officers made phone contact with the male who stated that he wanted to take his own life with one of his firearms. The Montgomery County SWAT East Regional Team was activated for this incident. After six hours of negotiations the distraught male surrendered peacefully and was taken into custody without incident. He was subsequently transported to Abington Memorial Hospital for medical and psychiatric evaluations.
7. We have seen a significant increase of firework complaints throughout the township in the month of June leading up to July 4th. In June and early July the police department responded to over 50 calls involving the use of fireworks. The concerns are injuries that residents may sustain using the fireworks coupled with fire threat to residences. There were two significant incidents in Philadelphia the week of July 6th where one juvenile male lost his hand due to holding a firework when it detonated and second female juvenile lost her right foot due to an explosion with an incendiary device also in Philadelphia.
8. On June 26, 2020 Governor Wolf placed Montgomery County into the green phase of reopening under the COVID-19 pandemic. On Monday, June 29, 2020 I issued a modified COVID-19 operations order for members of the police department. The modified order permits officers to begin normal traffic enforcement operations as well as responding to calls for service. Officers are still required to maintain social distancing in general and utilize their issued personal protective equipment (PPE) when engaging the public. Under this order the police station remains restricted to the general public with the exception of the police lobby and interview room under COVID-19 guidelines.
9. Commendatory Letters and Emails:
 - a. A commendatory Letter from Chief John Frye of Cheltenham Police thanking UMPD for the assistance on Sunday, May 31st, 2020 with the civil unrest. Officer Amanda Rossetti and Christopher Hens were assigned to respond to Cheltenham's request.

Upper Moreland Township POLICE DEPARTMENT

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Andrew J. Block
Chief of Police

- b. A commendatory email was received from township resident, Johanna Moreno thanking Officer Layla Cruz for her compassion and care of an injured motorist. The motorist was involved in a serious crash during the evening hours on June 29, 2020 on Fitzwatertown Road.

Traffic Safety Activity Report

38 Calls for Service:

9 Traffic and Parking Problems (3900)
5 Citizen Concerns (7000)
1 Traffic Studies (7100)
2 Directed Patrols (9000/9001)
13 Traffic Stops
12 Warnings Issued
0 Hazardous Moving Violations Issued
1 Non-Hazardous Moving Violations Issued
0 Parking Ticket Issued
0 Parking Warnings Issued
1 Arrest

MCSAP Inspections

0 Vehicle OOS violations
0 Driver OOS violation

6 DUI Arrests (one DUI arrest coded as narcotics)

1 7a-7p
5 7p-7a



POLICE DEPARTMENT

Andrew J. Block
Chief of Police

June 2020

Major Service Areas	This Month – 6/2020		Last Month – 5/2020		Last Year – 6/2019		Year to Date 2020		
	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests	
Calls for Service	1182		1084		1272		6,702		
Average Response Time	4.655		3.227		4.107		3.748		
Reportable Vehicle Crashes	21		10		23		87		
Non-Reportable Vehicle Crashes	49		33		61		279		
Part One Crime	This Month – 6/2020		Last Month – 5/2020		Last Year – 6/2019		Year to Date 2020		
Category	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests	
Murder	0	0	0	0	0	0	0	0	
Rape	0	0	1	0	0	0	5	2	
Robbery	1	0	1	0	1	2	6	5	
Aggravated Assault	0	0	0	0	1	1	5	2	
Burglary	0	0	1	0	1	0	5	0	
Theft	34	16	22	14	25	8	157	64	
Auto Theft	0	0	1	0	0	0	6	1	
Order Maintenance	This Month – 6/2020		Last Month – 5/2020		Last Year – 6/2019		Year to Date 2020		
Category	Arrests		Arrests		Arrests		Arrests		
Narcotics	5		3		3		33		
Public Intoxication	1		2		4		12		
Disorderly Conduct	1		1		0		10		
Other	13		11		26		81		
Proactive Measures	This Month – 6/2020		Last Month – 5/2020		Last Year – 6/2019		Year to Date 2020		
Vehicle Investigations	63		57		405		1425		
Hazardous Traffic Violations	9		11		55		264		
DUI Violations	5		3		5		25		
Non-Hazardous Traffic Violations	8		11		176		378		
Parking Violations Citations/Warnings	2/0		6/1		4/2		18/4		
								Warnings as of July 2016	

Department of Emergency Services

June 2020 Report to the Upper Moreland Township Board of Commissioners

Emergency Activity Summary			
Response Summary			
	June	Year to Date	
Fire Related:	89	352	
In-Township:	75	265	
Assist Other Depts:	11	68	
Assist PA Turnpike:	3	18	
EMS Related:	0	162	
Total Responses:	89	514	
* Ignition Summary			
	June	Year to Date	
Non-Structure:	7	29	
Structure:	0	13	
Causes			
Accidental:	7	42	
Intentional:	0	0	
Natural:	0	0	
Under Investigation:	0	0	
* In Service Summary			
	June	Year to Date	
Fire:	7	42	
Rescue:	0	5	
Haz Mat:	0	0	
Structural Response Summary			
		6 a.m. - 6 p.m. Career	6 p.m. - 6 a.m. Vol.
	June	YTD	June YTD
Average Response Time:	4:23	4:49	8:55 9:45
Total Responses	30	151	59 201

Permit, Inspection, Fee & Public Education Summary			
Permit Summary			
	June	Year to Date	
Fire Code:	40	136	
Tank Removal:	2	6	
Tank Installation:	0	3	
Other:	3	5	
Inspection Summary			
	June	Year to Date	
Inspection Reports:	88	153	
Fire Marshal Investigations:	3	15	
Fee Summary			
	June	Year to Date	
Fees Collected:	\$3,160.00	\$10,520.00	
Public Education Summary			
	June	Year to Date	
Activities Conducted:	0	0	
Persons Attending:	0	0	
Safety Analysis			
	June	Year to Date	
Firefighter Injuries:	0	1	
Firefighter Deaths:	0	0	
Civilian Injuries:	0	0	
Civilian Deaths:	0	0	
Accidents Involving Vehicles:	0	0	

* Includes Assist to Other Townships

Matt:

Attached is West Norriton's Ordinance. Their existing ordinance was amended to comply with the 2017 changes to the Fireworks Act.

This ordinance represents the most restrictive version of fireworks regulation, aside from one item. In other municipalities I have drafted updated fireworks ordinances for subsequent to 2017 some have also taken the extra step of limiting the time period in which fireworks can be discharged. For example, in Uwchlan Township we drafted language limiting the discharge of fireworks by citizens to just July 3-5 and December 30-January 1.

Best,

Alex

Alex J. Baumler
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**Part 8
FIREWORKS**

§ 10-801. Authority and Intent. [Ord. No. 2018-722, 10/9/2018]

This Part is adopted pursuant to the authority granted under Pennsylvania's fireworks regulations and laws as adopted and codified by the Pennsylvania legislature at 72 P.S. §§ 9401 through 9416. This Part is adopted with the intent to comply with such state fireworks laws, properly regulate fireworks use within the Township, and to protect the health, safety and welfare of Township citizens.

§ 10-802. Definitions. [Ord. No. 2018-722, 10/9/2018]

1. The following words and phrases when used in this Part shall have the meanings given to them in this section unless the context clearly indicates otherwise:

APA 87-1 — The American Pyrotechnics Association Standard 87-1: Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics, 2001 edition, or any subsequent edition.

CONSUMER FIREWORKS — Any combustible or explosive composition or any substance or combination of substances intended to produce visible and/or audible effects by combustion and which is suitable for use by the public that complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16 CFR (relating to consumer practices) or any successor regulation and which complies with the provisions for consumer fireworks as defined in the American Pyrotechnics Association (APA) Standard 87-1, including but not limited to Sections *3.1 and *3.5, or any successor standard. The term does not include devices such as ground and handheld sparkling devices, as defined in APA Standard 87-1, Section *3.1.1, novelties, as defined in APA Standard 87-1, Section *3.2, or toy caps, as defined in APA Standard 87-1, Section *3.3.

DISPLAY FIREWORKS — Defined as more fully set forth in 27 CFR 555.11 (Meaning of terms), which is incorporated herein by reference, which meet the types of display fireworks devices set forth in the APA Standard 87-1, Section *4.1, which comply with requirements for display fireworks set forth in APA Standard 87-1.

FIREWORKS — Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration or detonation that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth in the 2003 International Fire Code, including, but not limited to, those compositions or devices as defined in APA Standard 87-1.

NFPA 1124 — The National Fire Protection Association Standard 1124, Code for the Manufacture, Transportation, and Storage of Fireworks and Pyrotechnic Articles, 2006 edition, or any subsequent edition.

NOVELTIES — Articles of trade having amusement value and whose appeal is often transitory, and which is limited to those items for sale described in American Pyrotechnics Association (APA) Standard 87-1, Section *3.2.

OCCUPIED STRUCTURE — A structure, vehicle or place adapted for overnight accommodation of persons or for conducting business, whether or not a person is actually present.

TEMPORARY STRUCTURE — A structure, other than a permanent facility with fixed utility connections, which is in use or in place for a period of 20 consecutive calendar days or less and is dedicated to the storage and sale of consumer fireworks and related items. The term includes temporary retail sales stands, tents, canopies and membrane structures meeting the specifications of NFPA 1124. The term shall not include a facility that is not licensed to sell consumer fireworks under this Part.

§ 10-803. Use, Sale and Storage of Consumer Fireworks. [Ord. No. 2018-722, 10/9/2018]

1. Conditions. A person who is at least 18 years of age and meets the requirements of this Part may purchase, possess and use consumer fireworks.
2. Prohibitions. A person may not intentionally ignite or discharge:
 - A. Consumer fireworks on public or private property without the express permission of the owner.
 - B. Consumer fireworks or sparkling devices within, or throw consumer fireworks or sparkling devices from, a motor vehicle or building.
 - C. Consumer fireworks or sparkling devices into or at a motor vehicle or building or at another person.

- D. Consumer fireworks or sparkling devices while the person is under the influence of alcohol, a controlled substance or another drug.
 - E. Consumer fireworks within 150 feet of any occupied structure.
 - F. Consumer fireworks within 100 feet of any combustible material.
 - G. Consumer fireworks such that the sparks or any portion of the fireworks will land upon the property of another without the owner's express permission.
 - H. Consumer fireworks two hours after dusk on the date the person intends to ignite the consumer fireworks, dusk being defined as the time as reported for West Norriton Township by the National Weather Service.
3. It is hereby ordained and enacted that no permission is granted by the Township to any person to ignite or discharge consumer fireworks on the streets of the Township of West Norriton, the sidewalks of the Township of West Norriton or any property owned by the Township of West Norriton, including, without limitation, all of the Township's parks and public buildings, unless otherwise authorized by a public vote of the Board of Commissioners.
4. Sale and Storage of Consumer Fireworks. The sale and storage of consumer fireworks is licensed and regulated by the Pennsylvania Department of Agriculture. Any person who intends to sell or store consumer fireworks within the Township shall provide proof of such licensure prior to such use being conducted within the Township, in addition to compliance with all other applicable Township ordinances, regulations or codes.

§ 10-804. Consumer Fireworks — Temporary Structures. [Ord. No. 2018-722, 10/9/2018]

- 1. Conditions. If a person is licensed by the Pennsylvania Department of Agriculture to store and sell consumer fireworks within a temporary structure as defined herein, such use shall be permitted within the Township, provided all other applicable Township ordinances and regulations are met.
- 2. The person authorized to store and sell consumer fireworks within such temporary structure shall comply with the regulations of the Pennsylvania Department of Agriculture, and

shall provide verification of such compliance prior to be permitted to conduct such use within the Township.

§ 10-805. Display Fireworks — Permits and Use Provisions.
[Ord. No. 2018-722, 10/9/2018]

1. No display fireworks shall be ignited within 300 feet of a facility selling or dispensing gasoline, propane, or other flammable products.
2. Permits are required to be issued by the Township prior to the use of display fireworks. Application for permits shall be made in writing at least 30 days in advance of the planned date of the use of display fireworks, together with the permit fee. Permit fees shall be as established by resolution of the Board of Commissioners.
3. Permits for display fireworks may only be issued to persons age 21 or older.
4. Each display firework shall be:
 - A. Handled by a competent operator with the proper authorization to handle, operate or store display fireworks;
 - B. Inspected by the Police Chief, Fire Chief, Fire Marshal or other appropriate officer, and after proper inspection, deemed to not be hazardous to property or endanger any person prior to the display occurring; and
 - C. After permission is granted under this section, possession and use of display fireworks shall be lawful for that purpose only.
5. License Requirements. Any business entity which performs, provides or supervises display fireworks for profit shall provide to the Township proof of registration with the Pennsylvania Attorney General as part of the permitting process.
6. Display fireworks may be possessed and used by a person (aged 21 or older) holding a permit from the Township at the display covered by the permit, or when used as authorized by a permit for any of the following additional activities:
 - A. For agricultural purposes in connection with the raising of crops and the protection of crops from bird and animal damage.
 - B. By railroads or other transportation agencies for signal purposes or illumination.

- C. In quarrying or for blasting or other industrial use.
- D. In the sale or use of blank cartridges for a public show or theater.
- E. For signal or ceremonial purposes in athletics or sports.
- F. By military organizations or organizations composed of veterans of the Armed Forces of the United States.

§ 10-806. Display Fireworks — Bonding and Extention Requests. [Ord. No. 2018-722, 10/9/2018]

- 1. Bond. The Township shall require a bond deemed adequate by the Board from the permittee in a sum not less than \$50,000 conditioned on the payment of all damages which may be caused to a person or property by reason of the display fireworks and arising from an act of the permittee or an agent, employee or subcontractor of the permittee. The bonding requirement may be deemed unnecessary or reduced by the Board of Commissioners for the additional activities listed under § 10-805, Subsection 6, above.
- 2. Extension of Permit.
 - A. Authorization. If, because of unfavorable weather, the display fireworks for which a permit has been granted does not occur at the time authorized by the permit, the person to whom the permit was issued may within 24 hours apply, in writing, for a request for extension to the Township. The requested continuance of the permit shall not be later than one week after the date originally designated in the permit.
 - B. Conditions. The extension of time shall be granted without the payment of an additional fee and without requiring a bond other than the bond given for the original permit, the provisions of which shall extend to and cover all damages which may be caused by reason of the display occurring at the extended date and in the same manner and to the same extent as if the display had occurred at the date originally designated in the permit.

§ 10-807. Permits Granted for Agricultural Purposes. [Ord. No. 2018-722, 10/9/2018]

- 1. Authorization. The Township may grant permits for the use of suitable fireworks for agricultural purposes in connection with

the raising of crops and the protection of crops from bird and animal damage.

2. Duration of Permit. A permit under this section shall remain in effect for the calendar year in which it was issued.
3. Conditions. After a permit under this section has been granted, sales, possession and use of fireworks of the type and for the purpose mentioned in the permit shall be lawful for that purpose only.

§ 10-808. Authority and Confiscation of Materials. [Ord. No. 2018-722, 10/9/2018]

1. Any Pennsylvania State Police officer or Township police officer shall take, remove or cause to be removed, at the expense of the owner, all stocks of consumer fireworks, display fireworks or combustibles offered or exposed for sale, stored or held in violation of this Part. The owner shall also be responsible for the storage and, if deemed necessary, the destruction of these fireworks.
2. Any Pennsylvania State Police officer, Township police officer or Township Fire Chief is authorized to cease all fireworks activity when there is a determination that there is imminent or immediate danger to any person(s), property, buildings, structures or premises; and said police officer or Fire Chief may take any steps necessary, within the reasonable performance of their duties, to extinguish, mitigate and/or control any fireworks in order to preserve and protect the life, health, welfare or safety of any person(s) and to preserve and protect property, building structures or premises.

§ 10-809. Penalties. [Ord. No. 2018-722, 10/9/2018]

1. A person using consumer fireworks in violation of the provisions of this Part commits a summary offense and, upon conviction, shall be punished by a fine. Each section or provision of this Part that is violated shall constitute a separate offense, each of which shall be punishable by a separate fine imposed by the District Justice of not less than \$100 and not more than \$1,000.
2. A person selling consumer fireworks in violation of the provisions of this Part commits a misdemeanor of the second degree.
3. A person selling display fireworks in violation of the provisions of this Part commits a felony of the third degree.

4. A person selling federally illegal explosives such as devices as described in 49 CFR 173.54 (relating to forbidden explosives) or those devices that have not been tested, approved and labeled by the United States Department of Transportation, including, but not limited to, those devices commonly referred to as "M-80," "M-100," "blockbuster," "cherry bomb" or "quarter stick" or "half stick" explosive devices, in violation of the provisions of this Part commits a felony of the third degree.
5. All prosecutions related to this Part shall be the responsibility of the Township Police or, if warranted, the Pennsylvania State Police.