

**SEC. 7-5-1 REGULATION OF FIREWORKS**

- (a) **Definition.** Fireworks means anything manufactured, processed, or packaged for exploding, emitting sparks, or combustion which does not have another common use including:
- (1) Firecrackers;
  - (2) Blank cartridges;
  - (3) Toy pistols, cannons, toy canes, or cannons in which explosives are used, including caps containing more than one-quarter grain of explosive mixture;
  - (4) Display wheels;
  - (5) Torpedoes;
  - (6) Sky rockets;
  - (7) Roman candles;
  - (8) Aerial salutes;
  - (9) American or Chinese bombs, or other fireworks of like construction;
  - (10) Any fireworks containing any explosive or flammable compound, or which contain nitrates, chlorates, oxalates, sulphides of lead, barium, antimony, arsenic, mercury, nitroglycerine, phosphorus, or any compound containing any of the same or other such explosives, except as provided herein.
- (b) **Prohibitions.** No person shall possess or use fireworks, or sell, expose, or offer for sale any fireworks within the Town, except as authorized by any permit under this section, unless such possession or use has been authorized by a permit issued under the terms of this section.
- (c) **Public Displays.** Nothing herein contained shall prohibit the use of fireworks for fireworks displays given by a public authority, a fair association, an amusement park, a park board, a civic organization or a group of resident or nonresident individuals or an agricultural producer for the protection of crops from predatory birds or animals that have been granted a permit for such display or protective use by the Town Board, and permits issued for crop protection shall state the type of fireworks to be used for such purpose, and the owner or lessee of said land upon which said fireworks are installed shall erect appropriate warning signs disclosing the use of fireworks for crop protection.
- (d) **Application for Permits for Fireworks Displays.** Application by organizations sponsoring fireworks displays shall be submitted at least fifteen (15) days in advance of the date set for the display to the Town Clerk and shall contain the following:
- (1) The address and exact location of the fireworks display.
  - (2) The date and time of the display.
  - (3) The name of the organization sponsoring the display and the person responsible for arrangements.
  - (4) The name of the organization and the person in charge of firing the fireworks display and the person responsible for recovery of unfired fireworks.
  - (5) A permit fee of (see Section 16-1-1 Fees).

- (e) **Issuance and Denial of Permits.**
- (1) The applicant shall file a certificate of insurance with the application issued by an insurance company licensed to do business in the State of Wisconsin in the minimum amount of Five Hundred Thousand Dollars (\$500,000.00), which certificate of insurance will provide for the payment of all claims that may arise by reason of the injury to persons or property from the handling, use or discharge of fireworks under the permit. The policy of insurance shall cover any claim made against the Town by any person injured by such fireworks display and shall provide that the Town or any person may bring an action on such policy of insurance in the person's own name who may be injured to recover damages that the person has sustained. The policy of insurance shall be approved by the Town Attorney before filing with the Town Clerk. Premises where display will be held shall be inspected by the Town Fire Inspector.
  - (2) The application shall be approved by the Town Board before the permit is issued.
- (f) **Prohibited Locations.** No permit shall be granted for any display of fireworks where the discharge, failure to fire, faulty firing, or fallout of any fireworks or other objects would endanger persons, building structures, forests or brush, nor in any case where the point at which aerial fireworks are to be fired is less than two hundred (200) feet, or ground fireworks are to be fired at less than one hundred fifty (150) feet from the nearest permanent building, public highway or thoroughfare, railroad, or other means of travel, or fifty (50) feet from the nearest above ground telephone or telegraph line, tree or other overhead obstruction. In no case shall the display be fired within five hundred (500) feet of an occupied school, theater, church, hospital or similar institution.
- (g) **Automatic Denial.** Failure to provide the information requested or the certificate of insurance in the amount required shall be sufficient cause for the Town Board to deny said permit.

State Law Reference: Sec. 167.10, Wis. Stats.