

Title: Ordinance to regulate possession and use of fireworks

Effective Date: 4/14/2003

Category: Burning/Fireworks

STATE OF WISCONSIN

TOWN OF LAGRANGE

WALWORTH COUNTY

ORDINANCE NO. 03-009

ORDINANCE TO REGULATE POSSESSION, USE AND SALE OF FIREWORKS

The Town Board of the Town of LaGrange adopts this Ordinance regulating the possession, use and sale of fireworks as follows:

#### SECTION 1. FIREWORKS REGULATED

Section 167.10 Stats., as amended from time to time, is hereby adopted as an ordinance in and for the Town of LaGrange.

#### SECTION 2. PERMITS

A. Permits. Permits for pyrotechnic displays may be granted by the Town Chairman to public authorities, civic organizations and groups of individuals meeting the terms of this ordinance. No person shall possess, use or sell fireworks, as defined by Sec 165.10(1) Stats. without a permit from the Town Chairman.

B. Applications. Applications shall be submitted to the Town Clerk at least 30 days in advance of the date set for the display and shall contain the information, documentation and fees established by the Town Board by motion and on file in the office of the Town Clerk. All applicants shall provide a Certificate of insurance from a company licensed to do business in Wisconsin providing liability and property damage insurance in the minimum amounts of \$1 million and \$500,000 respectively, naming the Town of LaGrange as an additional insured.

C. Issuance, Denial and Conditions of Permit. The Town Chairman may issue, deny or condition issuance of the permit based on standards established by the Town Board by motion and on file with the Town Clerk.

### SECTION 3. CONDUCT OF DISPLAY.

The display shall be conducted so as to provide maximum safety for the public and shall also:

Be conducted only outside of buildings; Restrain spectators behind barriers allowing only authorized persons in charge of the display inside the barriers during preparation, unloading, firing and cleanup; Provide access to storage and launch areas to persons authorized to inspect for the Town; No fireworks shall be fired from a location less than 200 feet from the nearest spectator, public road, boat or building, nor less than 50 feet from above ground power lines, cables, trees or other overhead objects; All fireworks that fire a projectile set to go into the air will be directed as nearly vertical as possible; Any fireworks that remain unfired shall be immediately disposed of or removed promptly and in a safe manner; The operator shall make a thorough search for unfired fireworks and dispose of them in a prompt and safe manner.

### SECTION 4. VIOLATIONS AND PENALTY.

A. Stop Orders. Police Officers employed by the LaGrange Law Enforcement Services Department and any other person specially authorized by the Town Board are authorized to delay or terminate sale of fireworks and/or pyrotechnics displays for violation of any terms or conditions of this ordinance or the permit or if the display is likely to cause a hazard to people or property.

B. Penalty. Each violation is subject to a minimum forfeiture of \$25.00 and a maximum forfeiture of \$500.00 plus costs and assessments and up to 10 days in the County Jail for failure to pay.

### SECTION 5. ENFORCEMENT AND BOND

This ordinance may be enforced by a Town of LaGrange Police Officer issuing a citation pursuant to the provisions of Sec. 66.0113 Stats., as amended from time to time. The amount of the bond shall be \$100.00 to assure the person's appearance in court. The bond shall be forfeited for failure to appear in court.

Adopted by the Town Board of LaGrange on the 8th day of September, 2003.

Attest:

Crystal Hoffmann

Town Clerk

Town Board:

David Heilmeier

Richard Callaway

Donald Sukala

Ann Lohrmann

Frank Taylor