

## **ORDINANCE NO: 55**

### **AN ORDINANCE REGULATING THE SALE OR USE OF FIREWORKS**

The Town Board of the Town of Grand Rapids, Wisconsin, pursuant to §167.10 of the Wisconsin Statutes, does ordain as follows with regard to its Town Ordinances:

#### **55.1 Definition**

The definition set forth in sec. 167.10(1) Wis. Stats. is hereby adopted.

#### **55.2 Parental Liability.**

A parent, foster parent or legal guardian of a minor who consents to the use of fireworks by the minor is liable for damages caused by the minor's use of the fireworks.

#### **55.3 Sale/Use/Possession**

- A. Except as provided in sec. 167.10 (5) (e) Wis. Stats., no person shall possess, use, ignite, sell or give away within the Town of Grand Rapids any fireworks except for specific fireworks displays for which the Grand Rapids Fire Chief or his designee has issued a permit.
- B. Any device that contains more than  $\frac{1}{4}$  grain of explosive powder, that emits a report, discharges a flame, or leaves the ground, is not permitted to be sold, used, or possessed in the Town of Grand Rapids.
- C. No person may use fireworks or a device listed in sec. 167.10(1)(e) and (k)-(n) Wis. Stats. while attending a fireworks display for which a permit has been issued pursuant to this Ordinance.
- D. The Town of Grand Rapids prohibits any person from allowing or permitting fireworks to be used or exploded on his or her premise or premises under his or her control except as authorized by sec. 167.10 Wis. Stats, or a Town of Grand Rapids Fireworks Permit.

#### **55.4 Permits**

- A. Issuance: The Fire Chief or his designee is authorized to issue permits for fireworks displays. Permits may only be issued to the persons and entities enumerated in sec. 167.10 (3) (c) 1. – 5. and 7. Wis. Stats.

- B. **Qualifications:** A permit shall only be issued to a person who is at least twenty-one (21) years of age and who possesses a certificate of competency to display fireworks. The permit holder must be present during setup, display, and take-down. Permits will only be issued after all appropriate documentation has been approved.
  
- C. **Insurance Requirement:** A permit shall not be issued unless the applicant provides written proof of liability insurance coverage from an insurer licensed in Wisconsin in an amount not less than \$1,000,000. The town shall be a named insured on such coverage.
  
- D. The permit holder shall be responsible for crowd control.
  
- E. The permit holder will be responsible for complying with all applicable National Fire Protection Association Code provisions including, but not limited to, NFPA 1123.

**55.5 Penalty:**

- A. Any person(s), firm or corporation who has in their possession or is convicted using or permitting use on his or her premises of illegal fireworks in the Town of Grand Rapids shall, upon conviction, be subject to a forfeiture per Ordinance 39 "Schedule of Fees and Forfeitures" together with the costs of prosecution.
  
- B. Any person(s), firm or corporation who is convicted of selling illegal fireworks in the Town of Grand Rapids shall be subject to a forfeiture per Ordinance 39 "Schedule of Fees and Forfeitures" together with the costs of prosecution.

**This ordinance shall take effect from and after the date of its passage and publication as provided by law.**

**HISTORY**

**Adopted May 27, 2008  
Resolution 2008-13**

**Declaration/Ordinance/Resolution No**

**Dated**

**RESOLUTION NO:**

**2012-10  
2017-05**

**10-April-2012  
14-February-2017**