

Village of Bonduel
Shawano County
117 W. Green Bay Street
Bonduel, WI 54107

ORDINANCE NO.: 2019-08

SPONSORED BY: Public Safety Committee

INTRODUCED BY: Brenda Staszak

SECONDED BY: Renell Bartlett

AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 22-5 OF THE MUNICIPAL CODE OF ORDINANCE REGULATING THE SALES AND USE OF FIREWORKS:

WHEREAS, for the purposes of public health, safety and welfare, the Village, in an exercise of its statutory police powers, is desirous of amending the provisions of Sec. 22-5 of the Village Code to add, include and incorporate provisions regarding the sale, transportation, storage and detonation of any fireworks in the Village intended for outdoor fireworks displays under the provisions of NFPA 1123, Code for Fireworks Displays;

NOW, THEREFORE, THE VILLAGE BOARD OF AND FOR THE VILLAGE OF BONDUEL, WISCONSIN DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE. That the provisions of Section 22-5 of the Municipal Code of Ordinances be amended to add thereto provisions regarding the regulation the sale, use, transportation, storage and detonation of any fireworks in the Village under the User's Permit and the construction, handling and use of fireworks and equipment intended for outdoor fireworks displays under the provisions of NFPA 1123, Code for Fireworks Displays, in the manner described in EXHIBIT "A" hereto, be, and the same hereby are, approved.

SECTION TWO. That all other ordinances in conflict herewith be, and the same hereby are, repealed.

SECTION THREE. That this Ordinance shall take effect immediately upon the passage and publication of the same as made and provided by law.

ADOPTED: May 8, 2019
PUBLISHED May 17, 2019

VILLAGE OF BONDUEL, WISCONSIN

Russ Gehm, Village President

ATTEST:

Michelle Maroszek, Clerk/Treasurer

EXHIBIT "A"

Sec. 22-5. - Sale and use of fireworks prohibited.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
1. "Fireworks" shall have the meaning as defined in Wis. Stats. § 167.10(1).
 2. "NFPA" shall mean the National Fire Protection Association
- (b) *Sale prohibited.* No person shall sell, or possess with the intent to sell, fireworks within the village.
- (c) *Use regulated.* Except as provided in Wis. Stats. § 167.10(3), no person shall possess or use fireworks without a users' permit issued pursuant to subsection (d) of this section.
- (d) *User's permit.*
1. *Issuance.* As provided in Wis. Stats. § 167.10(3), fireworks user's permits may be issued by the village board.
 2. *Certificate of Insurance Required.* The village board shall require a certificate of liability insurance or similar proof of coverage in the amount of \$1,000,000.00. A copy of the permit and proof of insurance shall be filed with the clerk-treasurer and copies of the permit shall be given to the fire chief and the chief of police at least two days before the authorized use.
 3. *Permit fee.* The fireworks user's permit fee shall be as established by the village board from time to time.
 4. *NFPA Compliance.* The transportation, storage and detonation of any fireworks in the Village under the User's Permit and the construction, handling and use of fireworks and equipment intended for outdoor fireworks displays shall be subject to and in compliance with NFPA 1123, Code for Fireworks Displays and any subsequent amendments or revisions of such Code.
 5. *Permit Revocation.* Failure to comply with Wisconsin statute, administrative code, or the Village Code may result in revocation of the permit.
- (e) *Use of certain devices regulated.* No person may use fireworks or devices listed in Wis. Stats. § 167.10(1)(e) to (g) and (i) to (n), including, but not limited to, caps, toy snakes, model rocket engines, sparklers or cone fountains at a firework display for which a permit has been issued if the display is open to the general public.
- (f) *Penalty.* In addition to any forfeitures in the village bond schedule, the village may seek a court ordered injunction to enforce any provision of this section.
- (g) *Special Meeting.* If an applicant requests a special Village board meeting, said applicant shall pay the required fee as listed on the fee schedule before meeting is approved and posted.