

TOWN OF LIBERTY GROVE
ORDINANCE NO. 15-19
FIREWORKS POLICY

Whereas, the Town of Liberty Grove is a diverse, progressive community with management standards based on the Town's Comprehensive Plan fostering employment opportunities, environmental quality, and a rural atmosphere with scenic beauty and abundant natural resources, and

Whereas, preservation of the environmental quality and rural atmosphere of the Town includes the avoidance of excessive noise contamination, and

Whereas, the unregulated explosion of fireworks may undermine the intent of the Comprehensive Plan regarding environmental quality and preservation of a rural atmosphere, and

Whereas the unregulated explosion of fireworks may disturb the peace and tranquility of the residents of the Town,

Ordinances 4-07 and 2-19 are hereby repealed.

The Town of Liberty Grove does hereby adopt the following standards and regulations for the sale, use or discharge and storage of fireworks

Section I. Definition.

A. Under Wis. Stats.167.10 fireworks means anything manufactured processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include any of the following:

1. Fuel or a lubricant.
2. A firearm cartridge or shotgun shell.
3. A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.
4. A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
5. A cap containing not more than one-quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.
6. A toy snake which contains no mercury.
7. A model rocket engine.
8. Tobacco and a tobacco product.
9. A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects or to produce audible and visible effects.
10. A device designed to spray out paper confetti or streamers and which contains less than one-quarter grain of explosive mixture.

11. A fuseless device that is designed to produce audible or visible effects or audible and visible effects, and that contains less than one-quarter grain of explosive mixture.
12. A device that is designed primarily to burn pyrotechnic smoke-producing mixtures, at a controlled rate, and that produces audible or visible effects, or audible and visible effects.
13. A cylindrical fountain that consists of one or more tubes and that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.
14. A cone fountain that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49CFR 173.50.

Section II. Sales and Use

- A. Sales. No one shall sell fireworks to another individual, business or government body except as provided in Wis. Stats. Section 167.10, as it may be renumbered or amended, and other applicable law.
- B. Use. The Town of Liberty Grove 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 Liberty Grove Fireworks Permit.
 1. The Town of Liberty Grove prohibits any person from allowing or permitting binary explosive devices to be used or exploded on his or her premise or premises under his or her control.
- C. Fireworks shall be used between the hours of 7:00 PM to 11:00 PM only.

Section III. Permits

- A. No person may possess or use fireworks in the Town without a user's permit from the Chairman of the Town of Liberty Grove. A permit may only be issued to one of the following:
 1. A public authority.
 2. A fair association
 3. An amusement park.
 4. A Park Committee.
 5. A civic association.
 6. A group of residents or non-resident individuals consisting of 2 or more people.
 7. An agricultural producer for the protection of crops from predatory birds or animals.
- B. Permits must be issued at least 10 days prior to the day of the event.
- C. The permit must contain the following information:

1. The name and address of the permit holder.
 2. The date and location of where the fireworks will be used.
 3. The type and quantity of fireworks to be used.
 4. The times allowed using the fireworks.
 5. Other special conditions prescribed by ordinance.
- D. The Town may require an indemnity bond with good and sufficient sureties or policy of liability insurance for the payment of all claims that may arise by reason of injuries to person or property from the handling use or discharge of fireworks under the permit. The bond or policy shall be taken in the name of the Town and any person injured thereby may bring an action on the bond or policy in the person's own name to recover the damage the person has sustained, but the aggregate liability of the surety or insurer to all persons shall not exceed the amount of the bond or policy.
- E. Permits may be rescinded after issuance should weather conditions become unfavorable.
- F. Fireworks permits may not be issued to a minor.
- G. Permits shall be delivered to the local fire chief and county sheriff upon issuance.
- H. The fee for a permit shall be \$20, payable in advance. Such fee shall cover the expense of the Town to notify the adjacent neighbors that a permit has been issued and the date and time of the fireworks display.

Section IV. Enforcement

- A. Any person violating any provision of this ordinance may be fined not less than \$100 nor more than \$500.
- B. This ordinance may be enforced by the issuance of a citation to any violator of this ordinance by any sheriff or deputy sheriff of the County of Door, State of Wisconsin, by any State of Wisconsin officer with police powers, or by any other law enforcement officer employed by the Town of Liberty Grove.

Section V. Effective date.

This Ordinance shall be effective upon passage and publication.

Motion to adopt: Lowry Second: Schwengel Vote: Aye – 5 Nay – 0

Dated this 20th day of November, 2019

Anastasia Bell, Clerk/Treasurer _____

I, Anastasia Bell, Clerk/Treasurer of the Town of Liberty Grove, Door County, WI. hereby certify that the above ordinance was adopted on the 20th day of November, 2019, by the Town Board of the Town of Liberty Grove, Door County, Wisconsin.

Anastasia Bell, Clerk/Treasurer _____