

Chapter 294

FIREWORKS

[HISTORY: Adopted by the Town Board of the Town of Buchanan 11-4-1997 as Ch. 38, Art. II, of the 1997 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Fire Department — See Ch. 36.

Fire prevention — See Ch. 290.

§ 294-1. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

FIREWORKS — As defined in § 167.10(1), Wis. Stats., and shall be deemed to include all rockets or similar missiles containing explosive fuel.

§ 294-2. Sale and discharge.

- A. Private use and sale. No person shall sell, expose, or offer for sale, or use, keep, discharge, or explode any fireworks except for toy pistols, toy canes, toy guns, or other devices in which paper caps manufactured in accordance with the United States Interstate Commerce Commission regulations for packing and shipping of toy paper caps are used; gold star producing sparklers on wires which contain no magnesium, chlorate, or perchlorate; toy snakes which contain no mercury; or smoke novelties and party novelties which contain less than 20/500 of a grain of explosive mixture within the Town, unless he/she shall be authorized by a fireworks permit as provided in Subsection C of this section. [Amended 8-17-2010 by Ord. No. 2010-03]
- B. Blank cartridges. Nothing contained in this section shall prohibit the use or sale of blank cartridges for circus or theatrical purposes, or signal purposes, in athletic contests or sports events, or use by militia, police, or military organizations; nor the sale of colored flares or torpedoes for railway, aircraft, or highway signal purposes.
- C. Fireworks permits. Fireworks, other than those prohibited by the laws of the state, may be used and displayed in open fields, parks, rivers, lakes, and ponds by public authorities, fair associations, amusement parks, park boards, civic organizations, agricultural producers, or any individual or group of individuals when a permit for such display has been granted by the Fire Chief or designee of either. All applications shall be referred to the Fire Chief for investigation, and no permit shall be granted unless the Town Board from the report of a Fire Chief determines that the applicant will use the fireworks in a public exhibition, that all reasonable

precautions will be exercised with regard to the protection of the lives and property of all persons, and that the display will be handled by a competent operator and conducted in a suitable, safe place and manner. Before granting any fireworks permit, the Fire Chief shall require the applicant to post with the Town Administrator/Clerk an approved insurance policy in the sum of \$1,000,000 for the payment of all claims which may arise by reason of injuries to persons or property from the handling, use, or discharge of fireworks under such permit. [Amended 8-17-2010 by Ord. No. 2010-03]

§ 294-3. Permit fees. [Amended 8-17-2010 by Ord. No. 2010-03]

Permit fees shall be set by the Town Board as listed in the Town of Buchanan Fees and Licenses Schedule.¹

§ 294-4. Responsibility of parents.

A parent or legally appointed guardian of any minor who shall knowingly permit such minor to purchase or have in his possession or to discharge any fireworks forbidden by this chapter shall be deemed to have violated this chapter. Such parent or guardian shall be personally liable for any damage caused by such possession or discharge of fireworks.

¹. Editor's Note: The Town of Buchanan Fees and Licenses Schedule is on file in the Administrator/Clerk's office.