

**ORDINANCE NO. 2022-04, TOWN OF NEW GLARUS, GREEN COUNTY
AN ORDINANCE TO REGULATE THE USE AND SALE OF FIREWORKS**

WHEREAS the Town New Glarus currently regulates the use of fireworks within the Town of New Glarus by permit under the authority granted by Section 167.10 of Wis. Stats; and

WHEREAS, the Town Board has determined that a more restrictive ordinance is needed for such permitting of fireworks displays and sales as well as to adopt related penalties for violation of such regulations;

NOW, THEREFORE, the Town Board for the Town of New Glarus, County of Green, Wisconsin, do hereby ordain as follows:

SECTION 1: Ordinance No. 2022-04, an Ordinance to Regulate the Use and Sale of Fireworks is hereby created to read as follows:

1. FIREWORKS REGULATED. Section 167.10, Wis. Stats., as amended and renumbered from time to time, is hereby incorporated herein by reference. This ordinance is intended to be more restrictive than Section 167.10, Wis. Stats. In the event that Section 167.10, Wis. Stats. or any future amendment or revisions that may be made thereto are amended to prohibit any action/activity permitted in this ordinance, the Wisconsin Statute shall control.

2. FIREWORKS USE OR DISPLAY. No person shall use or display fireworks, except as permitted by a fireworks display permit granted under this section.

A. Permits for pyrotechnic displays may be granted by the Town Chair to public authorities, civic organizations, groups, or individuals meeting the terms of this ordinance.

B. No person shall use fireworks, as defined by Sec 167.10(1) Stats., without a permit from the Town Chair.

C. A permit under this Ordinance shall specify all of the following:

1. The name and address of the permit holder and location of the event, if different.

2. The preferred date on which fireworks are proposed to be displayed and an alternate date in the event of strong winds, dry conditions, inclement weather, etc.

3. An all-inclusive list of class and quantity of fireworks proposed to be discharged.

D. Applications for permits shall be submitted to the Town Clerk at least 5 business days (see <https://townofnewglarus.com/> for those hours) in advance of the date set for the display. Proof of insurance is required for events open to the public. The application fee is listed in the Town Fee Schedule.

E. Issuance. Denial and Conditions of Permit. The Town Chair may issue, deny, or conditionally issue a permit. The following factors may be considered when denying or conditionally issuing a permit:

1. Complaints from neighbors about events held by the same applicant or at the same location based upon excessive noise, consumption of alcohol, spent fireworks left on neighboring property not owned by the applicant or included on past applications, parking issues, discharge of fireworks in a dangerous manner, exceeding the hours listed on a permit, the applicant has previously caused harm to

- persons or property when discharging fireworks in the past, etc.
- 2. Inaccurate or misleading information provided on the application.
- 3. Lack or inadequacy of insurance if the event is open to the public.

3. **CONDUCT OF DISPLAY.** The display shall be conducted so as to provide maximum safety.

- A. Displays shall be conducted only outside of buildings.
- B. All discharged fireworks need to be contained within the confines of the area designated on the permit application.
- C. The applicant shall notify all property owners within 1,000 feet of the proposed discharge location who keep livestock on their property a minimum of 48 hours after the approval of the permit.
- D. Firework should be discharged from a central location of the permitted property to the extent possible and should not be discharged below overhead obstructions that could include power lines, trees, cables, etc.
- E. All fireworks that fire a projectile set to go into the air will be directed as nearly vertical as possible
- F. Any fireworks that remain unfired shall be immediately disposed of or removed promptly and in a safe manner
- G. The operator shall make a thorough search for unfired fireworks and dispose of them in a prompt and safe manner.

4. **SALES.** The Town of New Glarus does not currently allow the sales of fireworks, but has reserved this section for possible future use.

5. **VIOLATIONS AND PENALTY.** Stop Orders. Persons and agencies delegated by the Town Board are authorized to delay or terminate pyrotechnics displays for violation of any terms or conditions of this ordinance or the permit.

6. **ENFORCEMENT AND BOND.** This ordinance may be enforced by a Green County Sheriff's Deputy issuing a citation pursuant to the provisions of Sec. 66.0113 Stats., as amended from time to time.

SECTION 2: SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

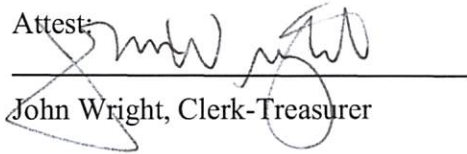
Adopted by the Town Board of New Glarus, June 8, 2022.

TOWN OF NEW GLARUS



Chris Narveson, Town Chairman

Attest:



John Wright, Clerk-Treasurer