

Town of Jefferson

Ordinance No. 84

Fireworks Sales Ordinance

THE TOWN BOARD OF THE TOWN OF JEFFERSON, Jefferson County, WI. does hereby ordain as follows:

Section 1: Title / Purpose

This ordinance is entitled the "Town of Jefferson Fireworks Sales Ordinance"

Section 2: Authority

The Town Board of the Town of Jefferson has the specific statutory authority, powers and duties, pursuant to the specific statutory sections noted in this ordinance and/or by its adoption of village powers under Section 60.10, Wis. Stats., to regulate, control, prevent, and enforce against in the Town of Jefferson, certain uses, activities, businesses, and operations by persons that may effect the Town of Jefferson.

Section 3: General Provisions

The Town of Jefferson Prohibits the sale of fireworks as defined by this Ordinance, at all times.

Section 4: Definitions

In this Ordinance *FIREWORKS* 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

- A. Fuel or lubricant
- B. A firearm cartage or shotgun shell
- C. 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
- D. A match, cigarette lighter stove, furnace, candle, lantern, or space heater
- E. 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.

- F. A toy snake which contains no mercury
- G. A model rocket engine
- H. Tobacco product
- I. A sparkler on a wire or wood stick not exceeding 36 (thirty-six) inches in length that is designed to produce audible or visible effects
- J. A device designed to spray out paper confetti or streamers and which contain less than one-quarter grain of explosive mixture
- K. A fuseless device that is designed to produce audible or visible effects , that contains less than one-quarter grain of explosive mixture
- L. A device that is designed primarily to burn pyrotechnic smoke-producing mixtures, at a controlled rate, and that produces audible or visible effects
- M. 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
- N. A cone fountain that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50

#### Section 5: Enforcement

The Town of Jefferson may petition the Circuit Court for an order enjoining any violation of this Ordinance. Further, any violators shall be fined a fine of up to \$100.00 per day for each day of violation of this Ordinance. Further, the Town shall be entitled to recover all costs including actual attorneys fees incurred in enforcing this Ordinance.

#### Section 6: Severability

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions thereof.

#### Section 7: Effective date

This ordinance shall be effective upon passage and publication according to the law.

Date approved and passed 8th January 2001

By Harold Bockmann  
Harold Bockmann, Chairperson

Don Bieglow  
Don Bieglow, Supervisor

Tyson Barnes  
Tyson Barnes, Supervisor

Richard Schmidt  
Richard Schmidt, Supervisor

Eugene Haag  
Eugene Haag, Supervisor

ATTEST TO:

Bonnie L. Ames  
Bonnie L. Ames, Clerk

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