

Town of Dellona
Ordinance # 11 - Fireworks
Effective March 11, 2013

- I. Applicability: This Ordinance shall apply to all displays of fireworks, public or private, conducted within the geographical boundaries of the Town of Dellona, Sauk County, Wisconsin.

- II. Permit Required: All displays of fireworks shall obtain a permit from the Town of Dellona. Applications for permits must be filed using the current Dellona Fireworks Display Permit Application. Applications together with payment of the permit fee must be filed with the Town Clerk at least thirty days prior to the proposed date of display. Applications without payment of the fee will not be processed for approval. A late application may be filed with the Town upon payment of an additional fee of \$100.00 per day for each day elapsed since the original required permit filing date. Permits shall only be issued to applicants that meet all of the following requirements:
 - A. A Certificate of Liability Insurance with the Certificate Holder designated as the Town of Dellona and the property owner of the property on which the proposed display will take place. The Certificate shall be provided by the Fireworks Company or the licensed applicant conducting the display in an amount not less than \$1,000,000 coverage per person for personal injury and not less than \$1,000,000 for property damage. Such certificate shall be issued by an Insurance Company approved and licensed by the Office of the Commissioner of Insurance for the State of Wisconsin to do business in the State of Wisconsin and

 - B. A Certificate of Liability Insurance with the Certificate Holder designated as the Town of Dellona . The Certificate shall be provided by the property owner of the property on which the proposed display will take place in an amount not less than \$1,000,000 coverage per person for personal injury and not less than \$1,000,000 for property damage. Such certificate shall be issued by an Insurance Company approved and licensed by the Office of the Commissioner of Insurance for the State of Wisconsin to do business in the State of Wisconsin and

 - C. A clear and readable copy of a valid and current Department of Treasury-Bureau of Alcohol, Tobacco and Firearms License/ Permit (Issued under 18 U.S.C. chapter 40, Explosives) held by the Fireworks Company or the licensed applicant conducting the display, and

 - D. A clear description of the intended site of the display including the name of the property owner, the sponsor of the display, mailing address of applicant, telephone number of applicant, name of person in charge of the display, name of the fireworks company conducting the display, the date

and time storage and possession of fireworks will begin and end, and the name and telephone number of person responsible for the site while fireworks are present. And

- E. A Site Layout per NFPA 1123 and a current color Site Map with an overlay of the exact location planned of the grounds on which the display is to be held showing the exact point at which the fireworks are to be discharged, the locations of all buildings, streets, trees, overhead public utility lines or overhead obstructions within 500 yards of the point of discharge and an adequate clear area indicating the lines behind which the public will be restrained. and,
- F. Specification of the date and time the display will begin and end.
- G. The application must state the applicant's requested date on and after which the fireworks can be purchased. Once the permit is issued, the permit holder may purchase fireworks up to the date of the permitted usage.
- H. A complete listing of the number and type of all fireworks to be in possession at the site and the number and type to be discharged on the date and time specified in the permit application, and
- I. Payment of a permit fee in the amount \$150.00.

III. Other Provisions:

- A. Permit holders will agree in writing that if a permit is granted, the applicant and/or agents of the applicant will be subject to all of the provisions of S.167, Wisconsin Statutes and Municipal Code, Chapter 36, Section 8, Violations of S.167.10 Wisconsin Statutes, County of Sauk, and Town of Dellona codes and ordinances. Failure to comply will constitute ground for revocation of the permit granted.
- B. The use of fireworks designed to produce only sound effects without any significant visual display are discouraged
- C. Permit holders will permit access to all parts of the display site to representatives of the Town of Dellona and representatives of the agencies providing fire and emergency medical services for the display site for the purpose of conducting inspections to determine compliance with all applicable regulations and requirements.
- D. All licensed displays are limited to thirty minutes duration and must conclude no later than 10:00 P.M.

- E. The discharge or firing of any fireworks device is permitted only by the holder of the permit required in paragraph III.B herein or his employees.
 - F. Compliance with the terms of this ordinance shall not absolve the applicant or permit holder from liability for personal injury or damages resulting from the applicant or permit holder's activities.
 - G. A permit may contain additional restrictions as set forth in NFPA 1123 or other regulations as the Town Board determines are necessary for the public's welfare and safety.
- IV. To be valid, a permit must bear the manual signature of the Chairperson of the Dellona Board of Supervisors or another Supervisor designated to act in the place of the Chairman of the Dellona Board of Supervisors.
- V. Failure to obtain a permit, failure to comply with the terms and conditions of this ordinance, or obtaining a permit based on false or incorrect information supplied on the permit application shall be punishable by a fine of \$1,500.00 per violation payable within 45 of days said violation.