

ORDINANCE No. 5/20/24A(2024)

**Amending Ordinance 5/19/14(2014)
Amending the Fireworks Ordinance for the Town of Farmington**

The Town Board of the Town of Farmington, Waupaca County, Wisconsin do ordain as follows:

Section 1: Ordinance 5/19/14(2014) is hereby amended to provide as follows:

**Section 2: SALE, POSSESSION OR USE OF FIREWORKS PROHIBITED
EXCEPTION;**

1. Except as provided in paragraph (3) below, no person shall sell, possess or use fireworks
2. The definition of "fireworks" stated in s. 167.10(1) WI Stats is hereby adopted. "Fireworks" means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have any common use. "Fireworks" also includes all items included under s. 167.10(1), (e), (f), (i), (j), (k), (l), (m) and (n) and are defined as follows:
 - (e) A copy 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 copy when it is in place for explosion.
 - (f) A toy snake which contains no mercury.
 - (i) A sparkler⁴ on a wire or wood stick not exceeding 36 inches in length or 0.25 inch in outside diameter which does not contain magnesium, chlorate or perchlorate.
 - (j) A device designed to spray out paper confetti or streamers and which contains less than one-quarter grain of explosive mixture.
 - (k) A device designed to produce an audible sound but not explode, spark, move or emit an external flame after ignition and which does not exceed 3 grams in total weight.
 - (l) A device that emits smoke with no external flame and does not leave the ground.
 - (m) A cylindrical fountain not exceeding 100 grams in total weight with an inside tube diameter not exceeding 0.75 inch, designed to sit on the ground and emit only sparks and smoke
 - (n) A cone fountain not exceeding 75 grams in total weight, designed to sit on the ground and emit only sparks and smoke.

3. (a) A person may possess or use fireworks with a user's permit from the Town Chairperson, as provided for in s. 167.10(3) WI Stats and this ordinance. The fee, payable to the Town of Farmington, shall be \$500 **paid in advance. If fireworks display does not occur, the fee will be refunded.** An application for a permit shall be completed by the applicant. The permit shall be valid for one day only.
- (b) A copy of a permit issued under this ordinance shall be given to the Waupaca Area Fire District and the Waupaca County Sheriff's Office at least 2 days before the date of authorized use.
- (c) The applicant for a permit shall also provide to the Town Clerk a certificate of insurance showing 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 insurance policy shall have liability limits of at least \$1,000,000.00 and shall include the Town as an additional insured. A certificate of insurance, a copy of the insurance policy along with a copy of the permit shall be filed in the office of the Town Clerk.

Section 3. PENALTIES

A person who violates this ordinance shall forfeit not more than \$200.00 plus costs. A parent or legal guardian of a minor who consents to the use of fireworks by the minor shall forfeit not more than \$200.00 plus costs.

Section 4. This Ordinance shall take effect on and upon passage and publication/posting according to law.

Adopted this 20th day of May, 2024

Town Board

ATTEST


Clerk/Treasurer


Chair


Supervisor I


Supervisor II