

ORDINANCE 2003-02: FIREWORKS

Section 95.1. Definition. The term "fireworks" as applied to explosives referred to in this Ordinance, shall include toy pistols, toy guns, toy cannons, detonating canes, blank cartridges, firecrackers of any size and kind, and any substance of an explosive nature and devices for discharging the same. This Ordinance shall not apply to ammunition and firearms or to dynamite and devices for exploding the same. The word "person" shall include firms and corporations.

Section 95.2. Fireworks Business Regulated.

Subd. 1. Permit. No person shall sell, or offer for sale, or give away any fireworks except under permit.

Subd. 2. Permit Fee. The fee for a permit shall be established in Appendix B, or as the City Council determines on a case-by-case basis.

Subd. 3. Duration of Permit. Such permits shall be valid only between midnight of July 1 and midnight of July 6 of the year in which issued except when July 4 falls on Sunday, and shall not be construed to authorize the sale of fireworks, the use of which has been forbidden.

Subd. 4. Smoking and Open Flames. No person shall smoke in or around any fireworks placed on open display or while handling fireworks, nor keep or place any open flame near any fireworks.

Subd. 5. Minors. No person shall sell, offer for sale, or give away any fireworks of any character whatsoever to minor persons under the age of eighteen (18) years.

Subd. 6. License Limits. The City shall not grant a license for the sale of any fireworks within three hundred (300) feet of any other place licensed for such sale.

Section 95.3. Certain Fireworks Prohibited. No person shall sell, possess, or use the following types of fireworks: toy cannons, detonation canes, blank cartridges, firecrackers exceeding three inches in length or one-half inch in diameter, firecrackers of any size containing explosives more powerful than black powder, torpedoes exceeding three-fourths inch in diameter, and any substance consisting of chlorate of potash and sulphur, or containing picric acid or picrite, or any device for discharging or exploding such substance.

Section 95.4. Use of Fireworks. No person shall:

Subd. 1. Set off any fireworks on any day of the year other than July 1, 2, 3, 4, 5 or 6, except under special permit from the City Council for a fair or similar occasion; in which case there shall be proper supervision by the fire chief and/or police.

Subd. 2. Set off any fireworks before noon on any Sunday.

Subd. 3. Set off any fireworks between 12:00 a.m. midnight and 6:00 a.m. of any day.

Subd. 4. Set off any fireworks, or cause any to be set off, within three hundred (300) yards of a hospital, school, or other public building, in any street or in any public park, within five hundred (500) feet of any stand or store where fireworks, explosives or inflammable liquids are kept or sold, or near inflammable materials.

Section 95.5. Penalty. Any person violating this Ordinance shall be guilty of a petty misdemeanor upon the first offense and a misdemeanor upon the second and subsequent offenses.

APOPTED THIS 2ND DAY OF APRIL, 2003

Roger Schmidt

Mayor

Attest:

Verena M Weber

City Administrator/Clerk