

ARTICLE XV. FIREWORKS

SECTION 210.650: DEFINITION

The term "*fireworks*" means and includes any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation and includes blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of balloons which require fire underneath to propel the same, fireworks of like construction and any fireworks containing any

explosive or flammable compound or any tablets or other device containing any explosive substance. The term “fireworks” shall not include toy pistols, toy canes, toy guns or other devices in which paper caps containing twenty-five hundredths (25/100) grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use and toy pistol paper caps which contain less than twenty-five hundredths (25/100) grains of explosive mixture, the use of which shall be permitted at all times. (Ord. No. 274 §10.25, 5-9-01)

SECTION 210.660: FIREWORKS PROHIBITED—EXCEPTION

It shall hereafter be unlawful for any person, firm or corporation to sell, use, ignite, explode, detonate or fire within the limits of the City any guns, rifles, revolvers or pistols, other than cap pistols. Also, it shall be unlawful to use, ignite, explode, detonate or fire within the limits of this City any type combustible fireworks that are designed to be projected into the air, not to include ground based fireworks that produce a shower of sparks, except that it shall be lawful for any person, firm or corporation to use, explode, detonate, light and fire fireworks and firecrackers at a public event or public assembly when a permit therefore has been issued to such person, firm or corporation by the Mayor of the City of Lake Waukomis, which permit must first be approved by a majority vote of the Board of Aldermen of said City prior to the issuance thereof by the Mayor. (Ord. No. 274 §10.26, 5-9-01)

SECTION 210.670: USE LIMITED TO CERTAIN HOURS

Applicable fireworks in the aforementioned Section 210.660 will be limited to use during the hours of 10:00 A.M. until 11:00 P.M. on July third (3rd) and July fourth (4th) of each year. (Ord. No. 274 §10.27, 5-0-01)

SECTION 210.680: USE FROM OR ONTO MOTOR VEHICLES OR WATERCRAFT

It shall be unlawful for any person, persons, firm or corporation to throw, set off, fire or cause to be exploded any fireworks from or into any motor vehicle or watercraft. (Ord. No. 274 §10.28, 5-9-01)

SECTION 210.690: REGULATION OF GROUND AUDIBLE DEVICES

“*Ground audible device*” means a fireworks device intended to function on the ground that produces an audible effect. It shall be unlawful for any person, persons, firm or corporation to throw, set off, fire or cause to be exploded any ground audible device for a time period exceeding two (2) minutes consecutively or a total of five (5) minutes in any sixty (60) minute time period. (Ord. No. 274 §10.29, 5-9-01)

SECTION 210.700: POSSESSION AND DISCHARGE OF CERTAIN FIREWORKS PROHIBITED

No person shall have in their possession or discharge fireworks of the type commonly called “bottle rocket”, “cherry bombs”, “M-80 ‘s”, “grenades”, “torpedoes” or “Roman candles”. (Ord. No. 274 §10.30, 5-9-01)

SECTION 210.710: IGNITION OF SPARKLERS BOUND TOGETHER PROHIBITED

No person shall have in their possession or ignite two (2) or more fireworks of the type commonly called “sparklers” which are bound together to form a bundle of sparklers. (Ord. No. 274 §10.31, 5-9-01)

SECTION 210.720: THROWING OF FIRECRACKERS OR OTHER FIREWORKS

It shall be unlawful for any person to throw or otherwise deposit or attempt to throw or otherwise deposit any firecrackers, squib, “cherry bomb”, grenade, torpedo or other combustible fireworks whatsoever into, at or upon any motor vehicle, residence or other structure or any person or group of persons or so near any such person or group of persons as to endanger same. (Ord. No. 274 §10.32, 5-9-01)

SECTION 210.730: SELLING OR GIVING AWAY

It shall be unlawful for any person to have in his/her possession with intent to give away, sell, offer for sale or to exhibit for sale within the City any squib, rocket, crackers, torpedoes, grenades, guns, revolvers, pistols, caps, cartridges, other combustible firecrackers or fireworks of any kind. (Ord. No. 274 §10.33, 5-9-01)

SECTION 210.740: RESIDENT/PROPERTY OWNER’S RESPONSIBILITY

The owner or resident(s) shall be responsible for violations of this Article which takes place on that owner or resident’s lot and shall be considered to be in violation of this Article if fireworks are used, ignited, exploded or fired on their lot.

SECTION 210.750: FIRE EMERGENCY—USE OF FIREWORKS

A. During any period or periods of dryness and increased danger of fire within the City and after consulting with the City Marshal or in his/her absence, the Mayor, or in his/her absence such other individual designated by the Board of Aldermen of said City, shall be authorized to declare a fire emergency for such length of time as said emergency conditions exists. He/she shall have the power to regulate the usage of all fireworks within the City of Lake Waukomis. The Mayor or his/her designate shall have the power to do any one (1) of the following:

1. Limit the type of fireworks that may be discharged in the City.
2. Ban all discharge of fireworks within the City.

B. In the event such emergency is declared by the Mayor or such other designated representative of the City of Lake Waukomis as provided hereinabove, a notice of declaration of such emergency and the regulations(s) of the discharge of fireworks during said fire emergency shall be posted in a public place within City Hall and at such other place or places as the Mayor or such other designated representative may deem reasonable and appropriate to inform the public of said fire emergency.

C. Any violation of the regulations placed in effect during the period of any fire emergency shall be subject to a minimum fine of fifty dollars (\$50.00) and a maximum fine of five hundred dollars(\$500.00) for each violation and each subsequent violation of this Section. (Ord. No. 274 §10.34, 5-9-01)