

(5) Regulation of Fireworks.

- (a) Definition. In this subsection, "fireworks" means anything manufactured, processed, or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include those items enumerated in subsection (1)(a) through (n) of § 167.10, Wis. Stats.
- (b) Sale. No person may sell or possess with intent to sell fireworks, except: to a person holding a permit under par. (e); to the Village; or for a purpose specified under par. (d).
- (c) Use. No person may possess or use fireworks without a user's permit from the Village President or from an official or employee of the Village designated by the Village President. An administrative charge, as specified on the Administrative Fees, Charges and Deposits Schedule in Title V, Chapter 2 Administrative Fees, Charges and Deposits shall be paid for each fireworks user's permit issued. No person may use fireworks or a device listed under sub. (1)(e) to (g) or (i) to (n) of § 167.10, Wis. Stats., while attending a fireworks display for which a permit has been issued to a person listed under par. (e)1 to 5 or under par. (e)6 if the display is open to the general public.
- (d) Paragraph (c) does not apply to:
 - 1. The Village, but municipal fire and law enforcement officials shall be notified of the proposed use of fireworks at least two days in advance.
 - 2. The possession or use of explosives in accordance with rules or general orders of the Department of Industry, Labor and Human Relations.
 - 3. The disposal of hazardous substances in accordance with rules adopted by the Department of Natural Resources.
 - 4. The possession or use of explosive or combustible materials in any manufacturing process.
 - 5. The possession or use of explosive or combustible materials in connection with classes conducted by educational institutions.
 - 6. A possessor or manufacturer of explosives in possession of a license or permit under 18 U.S.C. §§ 841 to 848 if the possession of the fireworks is authorized under the license or permit.
- (e) A permit under this subsection may be issued only to the following:
 - 1. A public authority.
 - 2. A fair association.
 - 3. An amusement park.
 - 4. A park board.

5. A civic organization.
 6. A group of resident or nonresident individuals.
 7. An agricultural producer for the protection of crops from predatory birds or animals.
- (f) A person issued a permit for crop protection shall erect appropriate warning signs disclosing the use of fireworks for crop protection.
- (g) The person issuing a permit under this subsection may require an indemnity bond with good and sufficient sureties or policy of 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 bond or policy, if required, shall be taken in the name of the Village, and any person injured thereby may bring an action on the bond or policy in the person's own name to recover the damage the person has sustained, but the aggregate liability of the surety or insurer to all persons shall not exceed the amount of the bond or policy. The bond or policy, if required, together with a copy of the permit, shall be filed in the office of the Village Clerk.
- (h) A permit under this subsection shall specify all of the following:
1. The name and address of the permit holder.
 2. The date on and after which fireworks may be purchased.
 3. The kind and quantity of fireworks which may be purchased.
 4. The date and location of permitted use.
 5. Other special conditions prescribed by ordinance.
- (i) A copy of a permit under this subsection shall be given to municipal fire and law enforcement officials at least two days before the date of authorized use.
- (j) A permit under this subsection may not be issued to a minor.
- (k) Enforcement.
1. The Village may petition the circuit court for an order enjoining violations of this subsection.
 2. Fireworks stored, handled, sold, possessed or used by a person who violates this subsection or court order under par. 1 shall be seized. The fireworks shall be destroyed after conviction for a violation and otherwise returned to the owner.
- (l) Penalties. The forfeitures set forth in § 167.10(9), Wis. Stats., are hereby adopted by reference as though fully set forth herein.